

Building Zone Regulations of the City of Norwalk, CT.

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Amended to: November 15, 2019**

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Fee schedule approved effective April 28, 2017

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To ensure compliance with these regulations, please contact the Planning and Zoning office at (203) 854-7780

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ARTICLE 10, Definitions

§ 118-100. Definitions. [Amended effective 10-25-2002; 12-27-2002; 10-28-2005; 7-28-2006; 10-27-2006; 1-26-2007; 7-27-2007; 10-26-2007; 7-25-2008; 8-29-2008; 5-29-2009; 9-25-2009, 11-27-2009; 9-24-2010; 2-25-2011; 7-29-2011; 9-30-2011; 10-28-2011; 9-28-2012; 3-1-2013; 3-29-2013, 12-19-2014, 4-29-2016; 6-10-2016; 7-29-2016; 1-27-2017; 6-13-2017; 8-10-2018; 6-14-2019; 6-28-2019; 7-26-2019; 11-15-2019]

Certain words in this ordinance are defined for the purposes thereof as follows:

Words in the present tense include the future; the singular number includes the plural, and the plural the singular; the word "lot" includes the word "plot"; the word "building" includes the word "structure"; the word "zone" includes the word "district."

ADULT DAY CARE CENTER -- A facility providing care for the elderly and/or functionally impaired adults in a protective setting for a portion of a 24 hour day. [Added effective 8-31-2001]

ADULT USE ESTABLISHMENT -- A restaurant, cabaret, tavern, club, bookstore, video store, movie theater, peep show or similar establishment which devotes a substantial portion of its stock-in-trade or a substantial portion of its total viewing or presentation time to the regular and routine featuring of material or performances that depict the display of the human body in a state of undress, or nudity, including but not limited to the display of female breasts with nipples exposed, or male or female buttocks or genitalia which are less than completely or opaquely covered; and which excludes any minors on the basis of age. [Added effective 1-28-1994]

ALCOHOLIC LIQUOR -- Defined as the term is defined in the Connecticut General Statutes Title 30 Intoxicating Liquors Chapter 545 Liquor Control Act. ^{EN1}[Amended effective 3-9-1955; amended effective 7-25-2008]

ANIMAL CARE CENTER -- An establishment for the care and boarding of dogs or cats for a fee. [Added effective 3-29-1996]

ARTIST LIVE/WORKSPACE -- A building or any portion thereof used by an Artist, as verified by the City of Norwalk, as both their Dwelling Unit and Artist Workspace. [Added effective 6-14-2019]

ARTIST WORKSPACE -- Space within an existing building, used for the creation,-rehearsal or teaching of any visual art or craft and occasional exhibition of artwork, including, but not limited to, painting, photography, sculpture, print making, video, film, and pottery, or of any performing art, whether for live or recorded performance, including music, dance, and theater, and accessory sales of such art. [Added effective 10-27-2006; amended effective 6-14-2019]

ATHLETIC FIELD FACILITIES – Lighting and audio systems used to illuminate athletic playing fields for night-time use and to provide audio broadcasting of events including, but not limited to, football, baseball, softball, volleyball, tennis, marching band and related athletic events.

AUTOMATED PARKING -- An alternative structured parking facility which uses an automated (robotic) parking system located within an enclosed structure to provide the required on-site parking spaces for developments requiring a minimum of two hundred (200) parking spaces or more. Such facility uses pallettes or other automated equipment to deliver vehicles to designated parking spaces. [Added effective 8-29-2008]

AWNING -- A roof-like cover constructed of fabric, metal, or glass, designed and intended to provide protection from the elements, which projects from the wall of a structure over a door, walkway or other ingress or egress opening. [Added effective 9-24-2010]

BOARDING- OR ROOMING HOUSE -- Any dwelling or portion thereof in which at least four (4) unrelated persons but not more than twenty (20) persons are housed or boarded without separate kitchen facilities, where meals may be provided. [Added effective 6-12-1987; amended effective 8-10-2018]

BOAT MARINA -- Any business operation or combination of uses in the servicing and maintenance of boats, the mooring of boats for rent or for fee, a retail selling of boat spaces and any other use or product thereto.

BOUTIQUE MANUFACTURING -- The custom manufacturing of certain products by hand in limited quantities for distribution primarily to a local or regional market; including but not limited to: confections and other custom made food items, ceramics, furniture, artwork including painting, printmaking and sculpture, and similar products. [Added effective 12-24-2010]

BREW PUB/DISTILLERY -- **A business establishment engaged in the production and sale of alcoholic liquor, which may be consumed on the premises or sold in sealed bottles or other sealed containers for consumption and/or distribution off the premises and which also may be equipped with a full kitchen.** [Added effective 9-28-2012; amended effective 6-14-2019; 11-15-2019]

BUFFER STRIP -- A strip of land along a property line, free of any structure or other improvement and landscaped with trees and shrubs of sufficient height and mass to buffer adverse effects upon adjacent properties the year around. [Added effective 9-15-1975]

BUILDING AREA -- The maximum area of a building and its accessories, projected on a horizontal plane.

BUSINESS SERVICE ESTABLISHMENT -- Establishments primarily engaged in rendering services to business establishments on a fee or contract basis, such as advertising, typing, duplicating, mailing, building maintenance, employment, consulting, protective services, taxi, collection, photofinishing, office equipment rental, repair and leasing and other similar services. [Added effective 10-1-1987]

CERTIFICATION -- A signed, written approval by the Zoning Commission, or its designated agent, that a soil erosion and sediment control plan complies with the applicable requirements of these regulations. [Added effective 9-13-1985]

CHILD DAY-CARE CENTER -- A facility which offers a program of supplementary care to more than twelve (12) related or unrelated children on a regular basis and which is licensed by the State of Connecticut. [Added effective 6-12-1987]

COLLEGE OR UNIVERSITY: A public or private institution of higher education offering a two-year or four-year degree program of study which is accredited by the State of Connecticut Board of Governors for Higher Education, as per the Connecticut General Statutes.[Added effective 12-27-2002]

COMMERCIAL COMMUNICATIONS TOWER -- [Added effective 5-29-1992; repealed effective 10-27-1995]

COMMERCIAL RECREATION ESTABLISHMENT -- A business establishment engaged in providing leisure time activities and open to the public for a fee, and which may include as an accessory use the sale, rental or repair of recreation equipment and the serving of refreshments to patrons. A "commercial recreation establishment" may include, but is not limited to, tennis and paddle tennis courts, golf driving range, bowling lanes, ice skating and shooting ranges. A billiard parlor or pool hall shall not be permitted as a "commercial recreation establishment." [Added effective 12-7-1990]

COMMISSION -- The Zoning Commission of the City of Norwalk. [Added effective 12-11-1975]

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COMMUNITY CENTER -- A nonprofit facility for recreation, social or cultural activities under the management and unified control of the membership or the city. [Added effective 6-12-1987]

COMMUNITY CENTER (D RESIDENCE ZONES) -- A nonprofit facility where social services are provided and recreation, social, educational, developmental or cultural activities take place under the management and unified control of the City of Norwalk, a public or nonprofit agency or the membership. Permitted programs and activities may include the following: child day-care and summer camp programs, after school and tutoring activities, social services assessment, advocacy and counseling, job training and neighborhood organization; provided that the facility continues to be available for the general public. [Added effective 5-28-1993]

COMMUNITY RESIDENCE -- A facility which houses eight (8) or fewer mentally ill adults and the staff of such facility and which is licensed by the State of Connecticut. [Added effective 6-12-1987]

CONGREGATE HOUSING -- An assisted living facility providing independent or partially independent living quarters, congregate meals, housekeeping, professional caregiving, and other supportive services to persons 60 years of age or older who, because of infirmities and other functional limitations, including those related to beginning and intermediate Alzheimer's disease, cannot live in a completely independent environment. [Added effective 7-25-1980; amended effective 9-27-1996]

CONTRACTORS OFFICE -- A structure used predominantly for offices necessary for the operation of a contracting business, which may include as an accessory use the interior storage of contractor's equipment and materials used in the construction trade. Off-street parking for contractor's vehicles, which do not exceed one-ton rated capacity nor more than two axles, shall be permitted only if all equipment and supplies are stored predominantly within the vehicle. The number of such vehicles shall not exceed the number of parking spaces designated for their use, in addition to the number of spaces required for the office use and all other on-site uses. Outside storage of contractor's equipment or vehicles exceeding one-ton rated capacity or more than two axles shall not be permitted on the premises. [Added effective 1-26-2001]

CONTRACTOR'S STORAGE YARDS -- A parcel of land, with or without structures, a minimum of 12,500 square feet in size, used for the storage of equipment and materials used in the construction, landscaping, landscape nursery, masonry or arborist trade; including, but not limited to, trucks, vans, bulldozers, backhoes and other similar equipment and/or stockpiles of construction or property improvement materials, such as concrete, gravel, woodchips, logs, plant stock, masonry, plumbing or electrical supplies, and other similar materials. All such equipment and material shall be stored in an environmentally safe manner behind the front setback line and no closer than five feet (5') to the side or rear property lines. All such stockpiles shall be limited to a maximum height of twenty feet (20') and shall be effectively screened from view from adjacent properties. [Added effective 10-25-1996; amended eff. 10-28-2011]

CONVALESCENT HOME -- See "nursing home." [Added effective 6-12-1987]

COUNTY SOIL AND WATER CONSERVATION DISTRICT -- The Fairfield County Soil and Water Conservation District established under Subsection (a) of Section 22a-315 of the Connecticut General Statutes. EN2 [Added effective 9-13-1985]

CULTURAL ARTS AND ENTERTAINMENT FACILITIES -- A facility to accommodate the visual and performing arts including, but not limited to, art galleries, artist studios, television and radio recording studios, art, dance and music schools, and the like. [Added effective 10-26-2007]

DESIGN DISTRICT DEVELOPMENT PARK -- A parcel or parcels of land, a minimum of ten (10) acres in area, for mixed use developments including two (2) or more of the following uses: office, retail, residential, hotel and related accessory uses, having or proposing more than one (1) building

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(whether or not buildings are connected by atrium or other type of common area), which is designed in a unified manner and which has common facilities, such as private interior motor vehicle ways and open space for use by occupants and invitees of the park. Development within a design district development park may include one (1) or more adjoining parcels whether or not separated by public street (s) provided that such parcels are developed in accordance with a design district development park master plan. Land previously conveyed or to be conveyed for public right-of-way purposes shall be included in all applicable area calculations (i.e. lot area, density, building coverage, far, etc.). [Added effective 10-26-2007]

DEVELOPMENT -- Any construction or grading activities to improved or unimproved real estate. [Added effective 9-13-1985]

DEVELOPMENT PARK -- A parcel or parcels of land, a minimum of ten (10) acres in area, for office and accessory uses having or proposing more than one (1) building (whether or not buildings are connected by atrium or other type of common area), which is designed in a unified manner and which has common facilities, such as private interior motor vehicle ways and open space for use by occupants and invitees of the park. [Added effective 4-12-1985; amended effective 12-20-1996]

DEVELOPMENT PARK PRIVATE WAY -- An interior private passageway within a development park designed for motor vehicle passage into and within various areas of the development park and which meets the following standards: [Added effective 4-12-1985]

A. A defined way available for the passage of motor vehicles having a minimum width of twenty-five (25) feet.

B. A height clearance of fourteen (14) feet for the entire width of the defined way.

DISTURBED AREA -- An area where the ground cover is destroyed or removed leaving the land subject to accelerated erosion. [Added effective 9-13-1985]

DORMER -- Any structure whose framing projects out from a sloping roof to form a vertical wall designed to accommodate a window or other opening. When constructed as part of a half story, dormers shall be setback a minimum of two (2) feet from all building faces. Dormers located on the front of the structure facing the street, shall occupy no more than fifty percent (50%) of the length of the second story roof and shall comply with the story definition. When the gabled end of the structure faces the street, dormers on both roof faces shall occupy no more than fifty percent (50%) of the length of the second story roof and shall comply with the story definition criteria. [Added effective July 28, 2006]

DWELLING -- A building containing one (1) or more dwelling units; but in the case of a building having two (2) or more portions divided by one (1) or more party walls forming a complete separation, each such portion shall be considered to be a separate dwelling. [Added effective 1-8-1974]

DWELLING, ATTACHED -- A dwelling having any portion of one (1) wall in common with adjoining dwellings. [Added effective 1-8-1974]

DWELLING, DETACHED -- A dwelling having open space on all sides. [Added effective 1-8-1974]

DWELLING, MULTIFAMILY -- A building containing three (3) or more dwelling units. [Added effective 8-25-1978]

DWELLING, SINGLE-FAMILY -- A dwelling having only one (1) dwelling unit with 1 (one) kitchen, as herein defined, from ground to roof and having independent outside access. [Added effective 1-8-1974; amended effective 1-26-2007]

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DWELLING UNIT -- Any room or group of rooms located within a residential building and forming a single habitable unit with facilities which are used or intended to be used for living, sleeping, cooking and eating by one (1) family provided that each such unit is limited to 1 (one) kitchen, as herein defined. [Added effective 1-8-1974; amended effective 1-26-2007]

ELDERLY HOUSING UNIT -- A dwelling unit specifically designed for and occupied by an elderly person or persons and which conforms to the requirements of state or federal programs providing for housing for the elderly. [Added effective 6-2-1975]

EROSION -- The detachment and movement of soil or rock fragments by water, wind, ice or gravity. [Added effective 9-13-1985]

FAMILY -- A person living alone, or a group living together, as a single non-profit housekeeping unit and sharing common bathing, sleeping, cooking and eating facilities, and sharing at least one common living room space. Said housekeeping unit may include any number of people related by blood, marriage, adoption or legally recognized foster relationship, but shall never include more than three (3) unrelated individuals. [Amended effective 1-8-1974; amended effective 8-10-2018]

FAMILY DAY-CARE HOME -- A private family home caring for not more than six (6) children, including the provider's own children not in school full-time and which is registered with the State of Connecticut. [Added effective 6-12-1987]

FLOOR AREA -- The sum of the gross horizontal areas of the several floors of a building, measured from the exterior faces of exterior walls, and excluding floor space permanently devoted to mechanical equipment used in the operation and maintenance of the building and floor space permanently devoted to parking or loading. [Added effective 11-16-1984]

FLOOR AREA RATIO (FAR) -- The ratio of the total floor area of a building to the area of the lot on which it is located. [Added effective 11-16-1984]

GOVERNMENT AGENCIES -- Any department, commission, independent agency or instrumentality of the United States, of the State of Connecticut or of the City of Norwalk, including any authority or district thereof, or other governmental unit. [Added effective 5-28-1993]

GRADING -- Any excavating, grubbing, filling, including hydraulic fill, or stockpiling of earth materials or any combination thereof, including land in its excavated or filled condition. [Added effective 9-13-1985]

GREEN ROOF -- Roof areas which are landscaped by vegetation or other means to manage stormwater, where such green roof landscaping comprises a minimum of twenty percent (20%) of the total roof area, excluding roof areas permanently devoted to mechanical equipment used in the operation and maintenance of the buildings or permanently devoted to parking. [Added effective 10-26-2007]

GROUP DAY-CARE HOME -- A private family home or a facility which provides a program of supplemental care to not less than seven (7) nor more than twelve (12) related or unrelated children on a regular basis and which is licensed by the State of Connecticut. [Added effective 6-12-1987]

GROUP HOME -- A facility which provides resident services and twenty-four-hour supervision for not less than seven (7) nor more than twelve (12) mentally retarded and/or physically handicapped persons and which is licensed by the State of Connecticut [Added effective 6-12-1987]

HALFWAY HOUSE -- A transitional living facility which provides resident services and supervision for persons who have physical or social disabilities which make operation in society difficult and require the protection of a group setting to facilitate their rehabilitation and return as a fully functional member of society. [Added effective 6-12-1987]

HEIGHT OF BUILDING -- The vertical distance measured from the average elevation of the finished grade adjacent to the exterior walls of the building to the level of the highest point of the roof's surface, if the roof is flat, or to the mean level between the eaves and the highest point of the roof if any other type; **except that in the CBD, building height for properties located on the west side of West Avenue shall be measured in relation to the street center line with the highest elevation on which the lot fronts, and for properties located on the east side of West Avenue, building height shall be measured from the center line of West Avenue.** Where the finished grade is established by filling, the average elevation of any filled portions shall be measured from not more than three feet above the existing grade prior to any proposed development. EN3 [Amended effective 7-30-1982; 4-12-1985; 7-27-2007; 6-14-2019]

HEIGHT OF BUILDING - DEVELOPMENT PARK -- In the case of a building located within a development park, as defined herein, the center-line elevation of an adjacent development park private way, as defined herein, may be used to measure height, provided that, in so doing, building height shall not exceed by more than fifteen (15) feet the maximum height as measured from the center-line elevation of the street. [Added effective 7-27-2007]

HELICOPTER LANDING SITES - Sites which are used, designed or intended to be used for the purpose of the taking off or landing of helicopters or any other similar aircraft. Each take-off and landing operation shall constitute one flight.[Added effective 9-28-2001]

HOTEL (includes motel, inn and lodging, boarding- or rooming house) -- A building or group of buildings designed and used primarily as a temporary abode for transients, and not exclusively designed for independent housekeeping, and in which not more than ten percent (10%) of the living or sleeping units shall have cooking facilities. A sign reading "No cooking permitted" shall be posted in all such units not having cooking facilities. [Added effective 2-9-1977]

HOTEL, EXTENDED STAY -- A building or group of buildings designed and used as a temporary abode for travelers, who stay for multiple nights and who have a permanent residence elsewhere. The living units may have cooking facilities. [Added effective 8-29-1997; amended effective 9-29-2000]

INDOOR CONTRACTOR PARKING FACILITY -- A structure located on a parcel of land, a minimum of 10,000 square feet in size, used for the indoor storage of equipment and vehicles used in the construction, landscaping, landscape nursery, masonry or arborist trades; including, but not limited to, trucks, vans, bulldozers, backhoes and other similar equipment. All contractor vehicles and equipment shall be stored entirely within the building. No outside storage of materials shall be permitted on the premises. No outside storage of contractor's equipment or commercial vehicles of any kind shall be permitted on the premises. [Added effective 3-29-2013; amended effective 12-19-2014]

INDUSTRIAL DEVELOPMENT PARK: A parcel or parcels of land, a minimum of fifty acres in area, zoned for industrial, manufacturing, office, college or university, research and development, single- and multi-family residential with recreational facilities on a parcel containing 25 acres or more, and accessory uses, having or proposing more than one (1) building (whether or not buildings are connected by atrium or other type of common area), which is designed in a unified manner and which has common facilities, such as private interior motor vehicle ways and open space for use by occupants and invitees of the park. [Amended effective 10-26-2001; 12-27-2002; 11-27-2009]

INSPECTION -- The periodic review of sediment and erosion control measures shown on the certified plan. [Added effective 9-13-1985]

KIOSK -- A structure limited to two hundred (200) square feet in size, located in a design district development park from which a limited selection of products and/or services are sold or provided,

including but not limited to food, flowers, newspapers, information guides, and the like. [Added effective 10-26-2007]

KITCHEN -- An area of a dwelling unit, as herein defined, house or apartment used for the preparation, storage and/or service of food which contains any or all of the following fixtures and/or equipment in whole or part: storage cabinets (plastic, metal or wood), kitchen sinks, refrigerator, dishwasher, stove, hot plate, oven, table top broiler, including fans and hoods; all of which are installed or plugged into related plumbing and electrical fixtures or connections. [Added effective 2-2-1990; amended effective 1-26-2007]

LIVE MUSIC -- Any form of musical entertainment performed live for patrons of a specific establishment including, but not limited to, live bands, disc jockeys playing recorded music, and any music played using equipment that amplifies the music. [Added effective 9-29-2011]

LOT -- A parcel of land, not divided by streets, occupied or to be occupied by a building or buildings and accessory buildings or uses customarily incident to it, together with such open spaces as are required under the provisions of these regulations. [Amended effective 8-25-1978]

LOT, CORNER -- A parcel of land at the junction of and fronting on two (2) or more intersecting streets or upon two (2) parts of the same street forming an interior angle of one hundred and twenty degrees (120°) or less. [Amended effective 2-24-1989]

LOT, DEPTH OF -- The mean distance from the street line of the lot, measured in the general direction of the side lines of the lot.

LOT, INTERIOR -- A lot other than a corner lot.

LOT, REAR -- A lot situated to the rear of lots fronting on a street and having access to the street via an accessway which is in the same ownership as the rear lot. [Added effective 2-13-1980]

LOT WIDTH -- The horizontal distance between the side lines of a lot measured at right angles to its depth along the street line. Ninety percent (90%) of this lot width must be maintained for the first seventy (70) feet of lot depth. Where the street line forms an arc with a radius of less than one hundred (100) feet and the side lot lines converge towards the street line, the lot width shall be measured along the front setback. On a corner lot, the width shall be measured along the narrow street front and may include one half (1/2) the arc of the street corner. [Amended effective 7-28-1950; effective 2-13-1980; effective 2-24-1989]

MANUFACTURING AND PROCESSING, BOUTIQUE -- The custom fabrication of certain products by hand by artisans or businesses in limited quantities for distribution primarily to a local or regional market; including but not limited to: confections and other custom-made food and beverage items, ceramics, furniture, artwork including painting, printmaking and sculpture, and similar products. [Added effective 6-14-2019]

MANUFACTURING AND PROCESSING, HEAVY -- A use which involves the production of goods from raw materials or the assembly of finished products that may result in the need for considered access by large vehicles or vessels for transport and may require the storage of significant quantities of materials, both internally or externally, for processing on-site or for distribution to other locations. [Added effective 6-14-2019]

MANUFACTURING AND PROCESSING, LIGHT -- A use involving the production of goods from raw materials or the assembly of finished products that will result in limited external effects, noise, and other by-products. [Added effective 6-14-2019]

MASSAGE SPA -- A use or facility located within a business establishment and providing massage therapy as defined in C.G.S. Section 20-206a. Such uses and facilities shall limit the hours of operation

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from 7:00 a.m. to 9:00 p.m. and shall provide evidence that all persons rendering such services are licensed by the State of Connecticut in accordance with C.G.S. Section 20-206b. Any such similar uses or facilities not consistent with this definition shall be prohibited. [Added effective 10-25-2002]

MATERNITY HOME -- Supportive pre- and post-partum living environments for pregnant women and their children where housing, meals, medical care, occupational therapy, job training and other services are provided. [Added effective 6-28-2019]

MEDICAL OFFICE -- An establishment used by a licensed health care provider which does not include any hospital or outpatient surgical care facilities as defined by the Connecticut Department of Public Health. [Added effective 9-25-2009]

MEDICAL MARIJUANA DISPENSARY -- A place of business for which a dispensary license has been issued under the provisions of the Connecticut General Statutes Chapter 420f Palliative Use of Marijuana, and the facility is thereby recognized as a "Licensed dispensary" or "dispensary" by the State of Connecticut Department of Consumer Protection pursuant to the Connecticut General Statutes Section 21a-408h (Public Act #12-55). [Added effective 7-29-2016]

MEDICAL MARIJUANA PRODUCER -- A place of business for which a producer license has been issued under the provisions of the Connecticut General Statutes Chapter 420f Palliative Use of Marijuana, and the facility is thereby recognized as a "Licensed producer" or "producer" by the State of Connecticut Department of Consumer Protection pursuant to the Connecticut General Statutes Section 21a-408i (Public Act #12-55). [Added effective 7-29-2016]

MIXED USE RETAIL SHOPPING CENTER DEVELOPMENT-- A parcel or parcels of land, a minimum of ten (10) acres in area, for mixed use developments designed primarily for retail uses (which include food and beverage) in excess of 700,000 gross square feet and including one (1) or more of the following uses in addition to retail, one of which must be Public Realm, as that term is defined in the Urban Renewal Plan for the Reed Putnam Area Norwalk, Connecticut, as amended and restated: Public Realm, office, residential, hotel, personal and business service establishments, commercial recreation establishments, cultural arts and entertainment facilities, colleges and universities and related accessory uses, having or proposing one (1) or more than one (1) building (whether or not buildings are connected by atrium or other type of common area), which is designed in a unified manner and which has common facilities and may include one (1) or more adjoining parcels whether or not separated by public street(s) provided that such parcels are developed in accordance with an Urban Renewal Plan effective as of the date of the adoption of this regulation, and as may be amended from time to time thereafter. Portions of such parcel or parcels of land previously conveyed or to be conveyed for public right-of-way purposes shall be included in all applicable area calculations (i.e. lot area, density, building coverage, far, etc.). [Added effective 6-10-2016; amended effective 6-13-2017]

MUNICIPAL UTILITY PLANT OR STORAGE YARD -- A plant or storage yard necessary for the production of electric power and related equipment that is owned by a municipality and licensed by the Connecticut Siting Council, including and not inconsistent with the definition of "facility" in Connecticut General Statutes Section 16-50i(a), as amended. [Added effective 9-27-2002]

NEIGHBORHOOD CLUBHOUSE -- An establishment permitted in residence zones that is owned, controlled and used by a neighborhood association for meetings, events and recreational activities of its members. [Added effective 9-24-2010]

NONCONFORMING BUILDING OR USE -- One that does not conform with the regulations of the zone in which it is situated.

NONCONFORMING LOT -- A lot or parcel, the area, dimensions or location of which was lawful prior to the adoption or amendment of a zoning regulation, but which fails by reason of such action to conform to the present requirements of the zoning district in which it is located. [Added effective 2-24-1989]

NONCONFORMING STRUCTURE -- A structure, the size, dimensions or location of which was lawful prior to the adoption or amendment of a zoning regulation, but which fails by reason of such action to conform to the present requirements of the zoning district in which it is located. [Added effective 2-24-1989]

NONCONFORMING USE -- A use or activity which was lawful prior to the adoption or amendment of a zoning regulation, but which fails by reason of such action to conform to the present requirements of the zoning district in which it is located. [Added effective 2-24-1989]

NURSING HOME/HOSPICE -- An establishment for the care of the aged or terminally ill which furnishes, in single or multiple facilities, food, shelter and nursing supervision and which is licensed by the State of Connecticut. The facility may provide services which meet a need beyond the basic provisions of food, shelter and nursing supervision but shall not include surgical services or similar activities as is customarily provided in hospitals. [Added effective 6-12-1987]

PACKAGE DISTRIBUTION FACILITY -- A business establishment engaged in the receipt, sorting, shipping and distribution of packages directly to consumers and businesses, and where customers and businesses may also bring packages for receipt, shipping and distribution, and with limited on-site storage of packages. [Added effective 4-29-2016]

PACKAGE STORE PERMIT -- As the term is used in these regulations shall be construed as defined in Connecticut General Statutes Title 30 Intoxicating Liquors Chapter 545 Liquor Control Act, as amended. ^{EN4} [Amended effective 7-25-1955; 7-25-2008]

PERSONAL SERVICE ESTABLISHMENT -- Establishments primarily engaged in providing services involving the care of a person or his or her apparel, such as barbershop, beauty parlor, shoe repair, dry cleaning, tailoring or dressmaking, optician, health club, clothing, rental, photographic studio, massage spa and other similar services. [Added effective 10-1-1987; Amended Effective 10-25-2002]

PORTABLE STORAGE CONTAINER -- Any container designed for the storage of personal property that is owned or leased by the owners or occupants of the property for storage and is typically delivered and removed by truck trailer. [Added effective 5-29-2009]

PUBLIC ART – All artwork that may or may not be an integrated part of a public right of way or facility or building, including but not limited to a drawing, painting, murals, fresco, mosaic, sculpture, photograph, work of calligraphy or work of graphic art or mixed media and other architectural embellishment or functional art created by an artist, artisan, or craftsperson that is made available to the public, provided that:

- a. Public Art does not mean landscape architecture or landscape gardening.
- b. May include temporary visual art, performances, installations, events and other temporary works.
- c. May possess functional as well as aesthetic qualities. [Added effective 6-14-2019]

PUBLIC MUSEUM -- A nonprofit, noncommercial establishment operated as a repository or a collection of natural, scientific or literary curiosities or objects of interest or works of art, not including the regular sale or distribution of the objects collected. [Added effective 6-12-1987]

PUBLIC REALM – Publicly or privately owned property which is publicly accessible that may provide gathering space for cultural performances; linkages to other private or publically accessible spaces; and/or contains building elements or public art that are physically and/or visually accessible

regardless of ownership. These places and elements can include, but are not limited to, drives, sidewalks, pedestrian ways, bikeways, bridges, plazas, nodes, squares, transportation hubs, gateways, parks, waterfronts, natural features, view corridors, landmarks and building interfaces. [Added effective 6-14-2019]

PUBLIC UTILITY SUPPLY OR STORAGE FACILITY: A structure or facility containing equipment, including, but not limited to, electrical substations, telephone exchanges, water or sewer pump stations, vehicles and related equipment and supplies necessary to transmit and maintain electric power, water, sewer, telephone or other public utility services and equipment related thereto to certain areas or neighborhoods, that is owned by a public utility, licensed by the State of Connecticut, or when the facility is located on a parcel a minimum of ten (10) acres in size in a AAA Residence zone that abuts a limited access highway, by a licensed contractor who works exclusively for and in support of public utility companies. [Added effective 9-27-2002; amended effective 1-27-2017]

RECREATIONAL VEHICLE -- Any vehicle designed or intended primarily for use in recreational activities, including, for example, aircraft, boats, boat trailers, campers, camp trailers, horse trailers, horse vans, house trailers, motor homes, snowmobiles and utility trailers. [Added effective 7-15-1976]

RECREATION AREA -- An open space of not less than two hundred (200) square feet in size devoted exclusively to recreational activities and recreational equipment and facilities, such as play equipment, swimming pools, picnic tables, tennis courts, landscaping, etc. The required recreation area shall have minimum dimensions of not less than ten (10) feet and shall not include buffer strips or the required front yard. [Added effective 2-2-1990]

REFUSE COLLECTION AND RECYCLING RECEPTACLES -- Any receptacle used for the disposal of unwanted items, including dumpsters, trash compactors, recycling bins and the like. [Added effective 7-29- 2011]

RESTAURANT, FULL SERVICE -- A business establishment which has a full kitchen and whose principal function is the preparation and serving of food to the public for consumption on the premises, where hot meals are regularly served and where the customer consumes such meals while seated at tables or similar sit-down accommodations. Such restaurant may include one (1) bar for serving alcoholic beverages, provided that such bar shall not exceed fifteen (15) feet in length, that the active floor area of the bar shall comprise no more than twenty percent (20%) of the active floor area of the restaurant and that a restaurant permit for such service shall be obtained from the State of Connecticut Liquor Control Board. Café permits shall not be accepted in lieu of Restaurant permits. [Added effective 5-29-2009]

RETAIL FURNITURE STORE -- An establishment offering a full line of household furnishings, displayed in room settings, where at least eighty percent (80%) of the floor space shall be devoted to interior household furniture. Room settings shall include large-scale furniture pieces, used in living rooms, dining rooms and bedrooms, and shall not include appliances or electronics. Not more than ten percent (10%) of the floor space shall be devoted to related accessory furnishings, such as lamps and carpets, except that additional accessories may be displayed only as an integrated part of a room setting. Such establishments shall be a minimum of ten thousand (10,000) square feet and shall be open to the general public on a year-round basis. [Added effective 6-30-1995]

RETAIL HOME IMPROVEMENT STORE – An establishment of at least eighty thousand (80,000) square feet in size whose primary use is the offering for sale of a full line of tools, equipment, materials and design services for altering and improving the interior and exterior of homes, buildings, lawns, gardens, landscapes, sheds and other structures, including the sale of such items as grills, outdoor furniture, cabinets, appliances, lumber, paint, plumbing, electrical and hardware and that a

substantial majority of those items offered for sale be stored within the sales area of the building. Such establishment shall be open to the general public on a year round basis [Added effective 3-1-2013]

SAND OR GRAVEL PIT -- The excavation or removal of earth, soil, loam, rock, gravel, etc., from within or upon any lot or privately owned land and removing same from the premises of which it is a deposit thereof for the specific purpose of sale. [Amended effective 5-12-1952]

SCHEDULES -- The Schedules of Height and Bulk of Buildings which are found inside the rear cover of these regulations ^{EN5}and which contain the dimensional standards for lots and buildings in all zones. [Added effective 12-5-1973]

SCHOOL -- A public or private elementary or secondary school meeting all requirements of the compulsory education laws of the State of Connecticut. [Added effective 7-15-1976]

SCRAP METAL PROCESSOR -- Any place of business and any place of storage or deposit which has facilities for preparing and processing iron, steel and nonferrous metals into a form suitable for remelting by a foundry, steel mill or other remelter.

SEDIMENT -- Solid material, either mineral or organic, that is in suspension, is transported or has been moved from its site of origin by erosion. [Added effective 9-13-1985]

SOIL -- Any unconsolidated mineral or organic material of any origin. [Added effective 9-13-1985]

SOIL EROSION AND 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. [Added effective 9-13-1985]

STORAGE -- A facility consisting of individual, self-service units that are used for the storage of business, personal or household goods. [Added effective 9-27-1996; amended effective 7-26-2019]

STORY -- That part of a building between any floor and the floor above or, in its absence, the ceiling or roof above. [Amended effective 7-30-1982; 4-12-1985; 2-24-1989; 7-27-2007]

A. A "story" shall constitute a full story where:

- (1) The ceiling is more than three (3) feet above the average elevation of the finished grade adjacent to the exterior wall of the street facade; or
- (2) The lot is located within a development park, as defined herein, and the ceiling of which is three (3) feet or more above the center-line elevation of the development park private way.

B. Any "story" between a pitched roof and the uppermost full story, the floor of which is not more than two (2) feet below the plate, shall be counted as a half story, provided that not more than sixty percent (60%) of the gross floor area is finished for use or occupancy. Except for buildings within a development park, at no point regardless of topography, shall the number of stories exceed by more than one (1), the maximum number of stories as otherwise would be permitted.

STREET ACTIVATING -- Non-residential activities that provide visual engagement between those in the street and those on the street-level floor of buildings. This can include, but is not limited to: retail displays, video displays or promotions, art studios, entertainment, visibility of manufacturing or fabrication, and any other uses that foster visual engagement with pedestrians. [Added effective 6-14-2019]

STREET LINE -- The dividing line between the street and the lot.

WAREHOUSE -- A structure or enclosed part of a structure used solely for the storing of goods, materials and merchandise, excluding goods in the process of fabrication. [Added effective 7-24-1981]

Article 10: Definitions

YARD, AGGREGATE SIDE -- In any Village District, the aggregate side yard shall be defined as an open, unoccupied space on the same lot with a building situated between one side line and all buildings on said lot and extending through from street to the rear yard.[Added Effective 6-27-2003]

YARD, FRONT -- An open, unoccupied space on the same lot with a building, situated between the street wall of the building and the street line of the lot.

YARD, REAR -- An open, unoccupied space on the same lot with a building, between the rear wall of the building and the rear lot line of the lot.

YARD, SIDE -- An open, unoccupied space on the same lot with a building, situated between the building and the side line of the lot and extending through from street to the rear yard, or where no rear yard is required, to the rear line of the lot.

Editor's Note 1: See now C.G.S. ' 30-1(3).

Editor's Note 2: The former definition of "curb level," which immediately followed this definition was repealed effective 7-30-1982.

Editor's Note 3: The former definition of "height of a court or yard," which immediately followed this definition, was repealed effective 5-26-2000.

Editor's Note 4: See now C.G.S. ' 30-20.

Editor's Note 5: Schedules are included at end of chapter.

ARTICLE 20, Zone Designations [Amended effective 11-28-2003; 6-27-2008; 1-29-2010; 6-18-2010; 6-14-2019]

§ 118-200. Purpose and kinds of zones.

A. For the purpose of promoting the health, safety, morals and general welfare of the community; for the purpose of lessening congestion in the streets; for the purpose of securing safety from fire, panic and other dangers; for the purpose of preventing the overcrowding of land and avoiding undue concentration of population; for the purpose of facilitating adequate provision of transportation, water, sewerage, schools, parks and other public requirements; for the purpose of conserving the value of buildings and encouraging the most appropriate use of land throughout the city; for the purpose of providing for public health, comfort and general welfare in living and working conditions; for the purpose of regulating and restricting the location of trades and industries and the location of buildings designed for specified uses; for the purpose of regulating and limiting the height and bulk of buildings hereafter erected; and for the purpose of regulating and determining the area of yards, courts and other open spaces for buildings hereafter erected, the City of Norwalk is hereby divided into twenty-nine (29) classes of zones:

AAA Residence Zones [Amended effective 6-24-1946]

AA Residence Zones [Amended effective 6-24-1946]

A Residence Zones

B Residence Zones

C Residence Zones

D Residence Zones

Executive Office Zone [Added effective 1-16-1987]

Business Zones No. 1 [Added effective 1-16-1987]

Business Zones No. 2 [Added effective 1-16-1987]

Rowayton Avenue Village District [Added effective 12-19-1969, Amended effective 6-27-2003]

East Avenue Village District [Added effective 7-25-1955; Amended effective 6-27-2003]

SoNo Station Design District [Added effective 8-24-1990]

Neighborhood Business Zone [Amended effective 1-16-1987]

South Norwalk Business District [Amended effective 1-16-1987; 10-1-1987]

Central Business District/Central Business District Water [Added effective 10-1-1987; amended effective 6-14-2019]

Marine Commercial Zone [Added effective 4-29-1988]

Industrial No. 1 Zone [Amended effective 11-27-1991]

Light Industrial No. 2 Zone

Restricted Industrial Zone [Added effective 10-16-1981]

Research and Development Zone

Island Conservation Zone [Added effective 1-22-1974]

Flood Zone A [Added effective 4-24-1978, amended effective 6-18-2010]

Flood Zone AE. [Added effective 4-24-1978, amended effective 6-18-2010]

Flood Zone VE [Added effective 4-24-1978, amended effective 6-18-2010]

Washington Street Design District

Reed-Putnam Design District

Hospital Zone [Added effective 12-24-1992]

Silvermine Tavern Village District [Added effective 6-27-2008]

Golden Hill Village District [Added effective 1-29-2010]

- B. The Flood Hazard Zone shall be as shown on the Flood Insurance Rate Map (FIRM) dated October 16, 2013 (Panel 09001C0393G), July 8, 2013 (Panels 09001C0529G, 09001C0531G, 09001C0532G, 09001C0533G, 09001C0534G, 09001C0537G, 09001C0541G, 09001C0542G) and June 18, 2010 (Panels 09001C0389F, 09001C0391F, 09001C0392F, 09001C0394F, 09001C0526F, 09001C0527F), as referenced in Article 110, Flood Hazard Zone, which is hereby declared to be part thereof. No building or premises shall be used and no building shall be erected or altered, except in conformity with the regulations herein prescribed for the zone in which such building or premises are located. [Amended effective 4-24-1978, effective 6-18-2010; effective 7-8-2013]

§ 118-210. Zone boundaries.

- A. All of the various unzoned waters within and bordering upon the city which shall in any part be filled in or upon which any wharf, dock, pier or structure shall be erected shall be deemed to bear the zone classification of the adjacent zoned land until such time as the Zoning Commission shall otherwise act to determine the zone thereof. [Amended effective 4-21-1955; effective 12-5-1973]

§ 118-220. Interpretation of regulations.

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

§ 118-230. Schedule limiting height and bulk of buildings and size of lot. [Amended effective 6-24-1946; 11-15-1946; 2-5-1962; 4-12-1966; 12-5-1973; 2-24-1989; 8-30-2002, 5-2-2003; 11-28-2003; 6-14-2019]

The dimensional standards for lots and buildings shall be as given in the schedules, except as modified by the sections which follow. These schedules are hereby declared to be a part of these regulations.

ARTICLE 30, Use Regulations Controlling Residence Zones

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

A. Declaration of necessity and purpose.

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

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

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

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

C. Regulations for development.

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

(a) One-family dwellings.

(b) Parks and playgrounds.

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

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

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

(4) Yards.

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

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

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

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

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

(7) [Added effective 8-25-1978] Sign regulations. The following nonilluminated signs and others shall be permitted on each lot, provided that they are set back a minimum of ten (10) feet from the street line and do not exceed a height of six (6) feet if a ground sign or ten (10) feet if a wall sign:

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

(b) One (1) sign a maximum of two (2) square feet in area, announcing the existence of a permitted home occupation.

(c) One (1) sign a maximum of two (2) square feet in area, having the name and address of the occupant of the dwelling or the name of such property.

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

(a) Waterfront clubs. [Added effective 3-11-1983]

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

D. Review and approval. The construction of an attached or detached one-family dwelling in the Island Conservation Zone shall be permitted by Special Permit in accordance with the provisions of Article 140, § 118-1450. Additions of less than five hundred (500) square feet, modifications to existing structures and accessory uses and structures shall be exempt from a Special Permit. [Amended effective 8-13-1982]

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

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

B. Uses and structures.

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

(a) Single-family detached dwelling.

(b) Parks and playgrounds.

(c) Farms, truck gardens and nurseries provided that all produce is cultivated on the premises and that there are no more than two (2) beehives per one quarter (1/4) acre. Seasonal farm stands for the sale of products grown on the premises, up to four hundred (400) square feet in size, subject to annual renewal of required zoning approval and to permission by required city agencies. [Amended effective 2-2-1990, 3-1-2013, 9-4-2015]

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

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

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

Article 30: Residence Zones

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

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

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

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

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

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

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

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

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

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

B. Uses and structures.

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

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

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

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

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

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

§ 118-330. A Residence Zones. [Added effective 9-14-1977, Amended effective 2-26-2007; 6-28-2019]

- A. Purpose and intent. It is the purpose of this zone to provide areas for single-family dwellings and other compatible uses on lots with an area of twelve thousand five hundred (12,500) square feet or more. Certain other uses consistent with the allowed density may be permitted by Special Permit. It is intended that all uses be harmonious with local street characteristics and the limitation of available utilities and other public services.
- B. Uses and structures.
- (1) Principal uses and structures. In an A Residence Zone, premises shall be used and buildings shall be erected which are used, designed or intended to be used for one (1) of the following uses and no others:
- (a) Single-family detached dwelling.
 - (b) Parks and playgrounds.
 - (c) Farms, truck gardens and nurseries provided that all produce is cultivated on the premises and that there are no more than two (2) beehives per one quarter (1/4) acre. No roadside stands shall be permitted. [Amended effective 2-2-1990, 3-1-2013]
 - (d) Neighborhood clubhouses, existing at the time of adoption of this subsection, are declared to be conforming. If an existing clubhouse is destroyed by fire, explosion, act of God or act of public enemy to an extent exceeding fifty percent (50%) of its assessed value, it may be reconstructed only if the height, bulk, location and use of the building is substantially as it had previously existed, subject to approval by the Commission, except as modified where necessary to conform to the Flood Hazard Zone and coastal area management provisions of these regulations. The owners of such property shall document by A-2 Survey or other means the height, bulk, location and use of the building as it had previously existed. [Added effective 9-24-2010]
- (2) Special Permit uses and structures. The following uses shall be permitted by Special Permit in accordance with the provisions of Article 140, § 118-1450, Special Permits, and shall comply with the Schedule of Residential Uses and any additional standards set forth herein:
- (a) Public museums. [Added effective 6-12-1987]
 - (b) Places of worship, churches and church buildings.
 - (c) Schools.
 - (d) Public utility supply or storage facilities.
 - (e) (Reserved)[EN10](#)
 - (f) Public and private colleges and universities.
 - (g) Schools or institutions for the mentally retarded, physically handicapped or the emotionally or developmentally disabled.
 - (h) (Reserved)[EN11](#)

- (i) Cemeteries.
- (j) Golf clubs.
- (k) Youth day camps. [Added effective 6-12-1987]
- (l) Firehouses.
- (m) Conservation development. [Added effective 3-13-1981]
- (n) Waterfront clubs. [Added effective 3-11-1983]
- (o) Convalescent or nursing homes, subject to a minimum lot size of three (3) acres. Off-street parking shall comply with the building setbacks set forth in the Schedule of Residential Uses. [Added effective 6-12-1987]
- (p) Congregate housing, subject to a minimum lot size of three (3) acres, and off-street parking shall comply with the building setbacks set forth in the Schedule of Residential Uses. [Added effective 6-12-1987]
- (q) Nursery schools, child day-care centers or *maternity homes in existing accessory structures*, provided that the facility is an accessory use which is incidental to the principal use of the premises, which shall be limited to colleges and universities, schools or a place of worship, and subject to the provisions of § 118-910. [Added effective 1-15-1988; amended effective 6-28-2019]
- (r) Commercial communication antennas are permitted as an accessory use when located on an existing public utility structure and may extend above the existing structure by no more than fifteen (15) feet. In addition, the color of the utility structure shall be incorporated into design of the antenna and any equipment structures shall meet building setbacks and be effectively screened from adjacent properties. [Added effective 4-25-1997]
- (s) Athletic field facilities, subject to the following conditions: [Added effective 2-25-2011]
 - (1) All lighting shall be shielded and a photometric plan provided to confirm that no illumination shall exceed 0.3 foot candles at the property line; and
 - (2) All lights shall be directed away from surrounding residential properties; and
 - (3) All audio systems shall be limited to the broadcast of athletic field events and half time shows only; no pre game or post game music shall be permitted; and
 - (4) All lighting and audio systems shall be turned off by 10:00 p.m. and not turned back on until 7:00 a.m.
- (3) Uses which are not permitted in Subsection B(1) and (2) above shall not be permitted by variance in A Residence Zones. [Added effective 7-20-1984EN12]
- (4) Accessory uses and structures. Accessory uses and structures which are incidental to and customarily associated with the principal use of the premises shall be permitted, subject to the provisions of § 118-910, and subject to the following restrictions:
 - (a) Home occupations shall be conducted entirely within the dwelling and shall be limited to no more than one (1) per dwelling. The home occupation shall not alter

the residential character of the dwelling, provided furthermore that such home occupations: [Amended effective 2-2-1990]

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

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

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

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

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

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

- (n) EN15 Planned residential development, subject to § 118-400, approved prior to December 31, 1990. [Amended effective 6-30-1989; 5-25-1990; 1-27-1990]
- (o) Group homes. EN16 [Added effective 6-12-1987]
- (p) Congregate housing, subject to a minimum lot size of one (1) acre, and off-street parking shall comply with the building setbacks set forth in the Schedule of Residential Uses. [Added effective 6-12-1987]
- (q) Athletic field facilities, subject to the following conditions: [Added effective 2-25-2011]
 - (1) All lighting shall be shielded and a photometric plan provided to confirm that no illumination shall exceed 0.3 foot candles at the property line; and
 - (2) All lights shall be directed away from surrounding residential properties; and
 - (3) All audio systems shall be limited to the broadcast of athletic field events and half time shows only; no pre game or post game music shall be permitted; and
 - (4) All lighting and audio systems shall be turned off by 10:00 p.m. and not turned back on until 7:00 a.m.
- (3) Uses which are not permitted in Subsection B(1) and (2) above shall not be permitted by variance in a B Residence Zone. [Added effective 4-24-1992 EN17]
- (4) Accessory uses and structures. Accessory uses and structures which are incidental to and customarily associated with the principal use of the premises shall be permitted, subject to the provisions of § 118-910, and subject to the following restrictions:
 - (a) Home occupations shall be conducted entirely within the dwelling and shall be limited to no more than one (1) per dwelling. The home occupation shall not alter the residential character of the dwelling, provided furthermore that such home occupations: [Amended effective 2-2-1990]
 - [1] Shall employ not more than one (1) person not residing in such dwelling unit.
 - [2] Shall not involve storage of a stock-in-trade or sale of commodities on the premises.
 - [3] Shall use an area equal to not more than twenty-five percent (25%) of the floor area of the first floor of such dwelling, up to a maximum of five hundred (500) square feet.
 - [4] Shall not include a barber, beautician or the sale or care of animals.
 - [5] Shall not involve the manufacture, conversion or fabrication of any material or product.
 - (b) Garage for not more than four (4) motor vehicles owned by occupants of the dwelling.
 - (c) Deleted. [Amended effective 11-30-1984; 8-10-2018]
 - (d) Storage of recreational vehicles owned or leased by the occupant of the dwelling, provided that such vehicles are located in accordance with the front yard

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requirements of this zone and are effectively screened from view from the street and adjacent properties to the satisfaction of the Zoning Inspector.

- (e) Storage of not more than one (1) commercial vehicle, as defined in Chapter 246, Section 14-1, of the Connecticut General Statutes, which does not exceed one-ton rated capacity.
- (f) A driveway or walk used for access to a business or industrial use shall not be permitted as an accessory use.
- (g) Accessory apartments, subject to § 118-420. [Added effective 6-4-1982]
- (h) Family day-care homes in single-family and two-family dwellings and group day-care homes in single-family dwellings, subject to the conditions that a state license or registration is obtained by the provider and the outdoor play areas shall be fenced and/or adequately screened from adjacent properties to the satisfaction of the Zoning Inspector. [Added effective 6-12-1987]
- (i) Greenhouses, provided that any structures are clearly accessory to the main dwelling unit. No roadside stands shall be permitted. [Added effective 2-2-1990]
- (j) Tag sales, not to exceed three (3) per calendar year per property, shall be allowed as an accessory use to a permitted residential use, provided that each tag sale event shall be limited to a maximum of three (3) days and is operated during daytime hours only by a resident of the property. This is inclusive of tag sales, garage sales, yard sales and other similar types of sales. [Added effective 2-26-2007]
- (k) Farmers markets shall be allowed as an accessory use in a public park a minimum of five (5) acres in size. [Added effective 5-30-2008]
- (l) Portable storage container, other than those used during construction for which a valid Building permit has been issued, shall be permitted for a maximum period of one (1) month in any calendar year and limited to one (1) such container placed on an individual property at any one time and such container shall not exceed eight (8) feet in height or one hundred and sixty (160) square feet in size. [Added effective 5-29-2009]
- (m) Ingress or egress awning or canopy for hospitals, nursing homes, congregate housing, medical offices and similar facilities, subject to Section 118-810(I). [Added effective 9-24-2010]
- (n) Storage of not more than one (1) unregistered motor vehicle, provided that such vehicle is located in accordance with the front, side and rear yard requirements of this zone. [Added effective 5-27-2011]

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

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

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

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

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

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

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

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

B. Uses and structures.

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

- (a) Single-family detached dwelling.
- (b) Two-family detached dwelling.
- (c) Parks and playgrounds.
- (d) Farms, truck gardens and nurseries, provided that all produce is cultivated on the premises, are located on a parcel having a minimum area of twelve thousand five hundred (12,500) square feet and that there are no more than two (2) beehives per one quarter (1/4) acre. No roadside stands shall be permitted. [Amended effective 2-2-1990, 3-1-2013]
- (e) Neighborhood clubhouses, existing at the time of adoption of this subsection, are declared to be conforming. If an existing clubhouse is destroyed by fire, explosion, act of God or act of public enemy to an extent exceeding fifty percent (50%) of its assessed value, it may be reconstructed only if the height, bulk, location and use of the building is substantially as it had previously existed, subject to approval by the Commission, except as modified where necessary to conform to the Flood Hazard Zone and coastal area management

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provisions of these regulations. The owners of such property shall document by A-2 Survey or other means the height, bulk, location and use of the building as it had previously existed. [Added effective 9-24-2010]

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

- (a) Public museums. [Added effective 6-12-1987]
- (b) Places of worship, churches and church buildings.
- (c) Schools.
- (d) Public utility supply or storage facilities.
- (e) (Reserved)EN18
- (f) Public and private colleges and universities.
- (g) Schools or institutions for the mentally retarded, physically handicapped or the emotionally or developmentally disabled.
- (h) Halfway houses allowing a maximum of twelve (12) persons with no less than two hundred fifty (250) square feet of living area per person, except that a halfway house for persons under the jurisdiction of the Department of Corrections shall not be permitted.EN [Added effective 6-12-1987; amended effective 6-29-1990]
- (i) Cemeteries.
- (j) Youth day camps. [Added effective 6-12-1987]
- (k) Firehouses.
- (l) Nursery schools or child day-care centers, subject to a maximum occupancy of thirty-five (35) children, with no less than five hundred (500) square feet of lot area per child. No occupancy limitations shall be required when the facility is an accessory use that is incidental to the principal use of the premises, which shall be limited to schools, places of worship, congregate housing facilities and community centers. In all cases, outdoor play areas and off-street parking areas shall comply with the building setbacks set forth in the Schedule of Residential Uses. If facilities in existence at the time of adoption of this section are destroyed by fire, explosion, act of God or act of public enemy to an extent exceeding fifty percent (50%) of their assessed value, they may be reconstructed only if the height, bulk, location and use of the building is substantially as it had previously existed, subject to approval by the Director of Planning and Zoning, except as modified where necessary to conform to the Flood Hazard Zone and coastal management provisions of these regulations. The owners of such property shall document by A-2 survey or other means the height, bulk, location and use of the building as it had previously existed. [Added effective 6-12-1987; amended effective 6-26-1998]
- (m) Convalescent or nursing homes, subject to a minimum lot size of one (1) acre, and off-street parking shall comply with the building setbacks set forth in the Schedule of Residential Uses. [Added effective 6-12-1987]

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(n) EN19 Planned residential developments, subject to § 118-400, approved prior to March 1992. [Amended effective 3-27-1992]

(o) Group homes. EN20 [Added effective 6-12-1987]

(p) Community residences. EN21 [Added effective 6-12-1987]

(q) Public or nonprofit community center. [Added effective 6-12-1987]

(r) Congregate housing, subject to a minimum lot size of one (1) acre, and off-street parking shall comply with the building setbacks set forth in the Schedule of Residential Uses. [Added effective 6-12-1987]

(s) Elderly housing, provided that the site is an existing or former school site, as herein defined, of one and five-tenths (1.5) acres or more and that the building shall comply with the building setbacks set forth in the Schedule of Residential Uses. The number of dwelling units permitted for such elderly housing shall not exceed a density of one (1) unit per one thousand four hundred (1,400) square feet of lot area. [Added effective 4-30-1993]

(t) Waterfront clubs. [Added effective 6-27-1997]

(u) Athletic field facilities, subject to the following conditions: [Added effective 2-25-2011]

(1) All lighting shall be shielded and a photometric plan provided to confirm that no illumination shall exceed 0.3 foot candles at the property line; and

(2) All lights shall be directed away from surrounding residential properties; and

(3) All audio systems shall be limited to the broadcast of athletic field events and half time shows only; no pre game or post game music shall be permitted; and

(4) All lighting and audio systems shall be turned off by 10:00 p.m. and not turned back on until 7:00 a.m.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(i) Tag sales, not to exceed three (3) per calendar year per property, shall be allowed as an accessory use to a permitted residential use, provided that each tag sale event shall be limited to a maximum of three (3) days and is operated during daytime hours only by a resident of the property. This is inclusive of tag sales, garage sales, yard sales and other similar types of sales. [Added effective 2-26-2007]

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

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

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

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

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

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

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

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

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

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

B. Uses and structures.

- (1) Principal uses and structures. In a D Residence Zone, premises shall be used and buildings shall be erected which are used, designed or intended to be used for one (1) of the following uses and no others:
 - (a) Single-family detached dwelling.
 - (b) Two-family detached dwelling.
 - (c) Multifamily dwelling containing less than twelve (12) dwelling units, subject to Section 118-360 (C)(6). All multifamily dwellings shall provide an open recreation area of not less than two hundred (200) square feet per dwelling

unit and shall be located with due concern for the safety and convenience of the residents for whose use it is intended. The site plan shall indicate the manner of development, for example, play equipment, swimming pools, picnic tables, tennis courts, landscaping, etc. [Amended effective 7-11-1980, Amended effective 11-14-2006]

(d) Parks and playgrounds.

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

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

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

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

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

(c) Schools.

(d) Public utility supply or storage facilities.

(e) (Reserved)EN23

(f) Public and private colleges and universities.

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

(h) Halfway houses allowing a maximum of sixteen (16) persons with no less than two hundred (200) square feet of living area per person, except that a halfway house for persons under the jurisdiction of the Department of Corrections shall not be permitted.EN24 [Added effective 6-12-1987; amended effective 6-29-1990]

(i) Cemeteries.

(j) Youth day camps.

(k) Firehouses.

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- (l) Nursery schools or child day-care centers, subject to a maximum occupancy of thirty-five (35) children, with no less than five hundred (500) square feet of lot area per child. No occupancy limitations shall be required when the facility is an accessory use that is incidental to the principal use of the premises, which shall be limited to schools, places of worship, congregate housing facilities and community centers. In all cases, outdoor play areas and off-street parking areas shall comply with the building setbacks set forth in the Schedule of Residential Uses. If facilities in existence at the time of adoption of this section are destroyed by fire, explosion, act of God or act of public enemy to an extent exceeding fifty percent (50%) of their assessed value, they may be reconstructed only if the height, bulk, location and use of the building is substantially as it had previously existed, subject to approval by the Director of Planning and Zoning, except as modified where necessary to conform to the Flood Hazard Zone and coastal management provisions of these regulations. The owners of such property shall document by A-2 survey or other means the height, bulk, location and use of the building as it had previously existed. [Amended effective 6-12-1987; 6-26-1998]
- (m) Convalescent, nursing or rest homes.
- (n) EN25 Planned residential development, subject to § 118-400.
- (o) Multifamily dwelling containing twelve (12) or more dwelling units, subject to Section 118-360 (C)(7). All multifamily dwellings shall provide an open recreation area of not less than two hundred (200) square feet per dwelling unit and shall be located with due concern for the safety and convenience of the residents for whose use it is intended. The site plan shall indicate the manner of development, for example, play equipment, swimming pools, picnic tables, tennis courts, landscaping, etc. [Amended effective 7-11-1980, 11-14-2006]
- (p) Elderly housing. All elderly housing shall provide an open recreation area of not less than one hundred twenty-five (125) square feet per dwelling unit and shall be located with due concern for the safety and convenience of the residents for whose use it is intended. The site plan shall indicate the manner of development, for example, fireplaces, picnic tables, benches, shuffleboard courts, etc.
- (q) Congregate housing. All congregate housing shall provide a recreation area of not less than one hundred (100) square feet per dwelling unit and shall be located with due concern for the safety and convenience of the residents for whose use it is intended. The site plan shall indicate the manner of development, including the location of specific facilities such as benches, walkways and landscaping. Roof terraces and interior recreational spaces may be included in the calculation of required recreation area. [Added effective 7-25-1980]
- (r) Public or nonprofit community centers, subject to a minimum lot size of one (1) acre. [Added effective 6-12-1987; amended effective 5-28-1993]
- (s) Group homes. EN26 [Added effective 6-12-1987]
- (t) Community residences. EN27 [Added effective 6-12-1987]
- (u) Boarding- or rooming houses.

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- (v) Nonprofit technical schools providing training or educational programs certified by the State of Connecticut, subject to the following requirements: [Added effective 10-4-1991]
 - [1] Shall have a minimum lot size of fifteen thousand (15,000) square feet.
 - [2] Shall not exceed twenty-five (25) persons undergoing training.
 - [3] Use of a technical school shall be limited to members of a trade or profession enrolled in apprenticeship and upgrading programs as defined in the Connecticut General Statutes Annotated Title 31, §§ 31-51a to 31-51e.
- (w) Waterfront clubs. [Added effective 3-17-1995]
- (x) Athletic field facilities, subject to the following conditions: [Added effective 2-25-2011]
 - (1) All lighting shall be shielded and a photometric plan provided to confirm that no illumination shall exceed 0.3 foot candles at the property line; and
 - (2) All lights shall be directed away from surrounding residential properties; and
 - (3) All audio systems shall be limited to the broadcast of athletic field events and half time shows only; no pre game or post game music shall be permitted; and
 - (4) All lighting and audio systems shall be turned off by 10:00 p.m. and not turned back on until 7:00 a.m.
- (y) In order to encourage the preservation of structures contributing to positive aspects of community character, the Commission may allow minimum area or dimensional requirements (such as yard setback, buffer, width, or recreation area) or parking requirements to be reduced or a maximum requirement to be increased (such as height, residential density or maximum building area), provided that: [Added effective 2-15-2019]
 - i. the subject property has a minimum area of *twelve thousand (12,000) square feet*;
 - ii. the subject property contains a structure(s) listed in the state or national register of historic places or in a local historic resources inventory;
 - iii. the extent of the requirement to be increased or reduced shall be clearly identified on the application presented to the Commission;
 - iv. a narrative, prepared by a Historic Architect, shall be submitted with the application describing in detail the proposed work to be done to the exterior of the historic structure, and the Historic Architect shall be qualified for "Historic Architecture" as listed under 35 CFR Part 61 of the Secretary of Interior's Professional Qualification Standards and submit proof of same; and
 - v. for maximum building area, the calculation shall exclude the area of the existing building to be preserved provided the resulting maximum

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building area is no greater than thirty five percent (35%) for buildings and no greater than seventy-five percent (75%) for buildings and parking . For all other requirements, the resulting standards shall not be reduced or increased by more than twenty-five percent (25%) from the originating standard;

- vi. these developments are exempt from the provisions of Section 118-360(C)7;
 - vii. the Commission shall refer the application to the Historical Commission for review and recommendations. If the Historical Commission does not endorse the application, a 2/3 majority vote of the Zoning Commission is required for approval;
 - viii. the Commission may seek outside peer review regarding architectural design;
 - ix. the Commission determines the structure(s) in question contribute to community character or possesses a degree of historic significance (to be evidenced by its age, architectural uniqueness, or cultural value);
 - x. the Commission determines that even if building materials are proposed to be substituted and modernized, the method and degree of preservation maintains the character, aesthetic and architecture of the historic building.
 - xi. the special permit granted by the Commission shall only remain effective so long as the subject structure(s) is preserved and maintained as a principal structure on the property;
- (3) Uses which are not permitted in Subsection B(1) and (2) above shall not be permitted by variance in a D Residence Zone. [Added effective 4-24-1992EN28]
- (4) Accessory uses and structures. Accessory uses and structures which are incidental to and customarily associated with the principal use of the premises shall be permitted subject to the provisions of § 118-910, and subject to the following restrictions:
- (a) [Amended effective 2-2-1990] Home occupations shall be conducted entirely within the dwelling and shall be limited to no more than one (1) per dwelling. The home occupation shall not alter the residential character of the dwelling, provided furthermore that such home occupations:
 - [1] Shall employ not more than one (1) person not residing in such dwelling unit.
 - [2] Shall not involve storage of stock-in-trade or sale of commodities on the premises.
 - [3] Shall use an area equal to not more than twenty-five percent (25%) of the floor area of the first floor of such dwelling, up to a maximum of five hundred (500) square feet.
 - [4] Shall not include a barber, beautician or the sale or care of animals.

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- [5] Shall not involve the manufacture, conversion or fabrication of any material or product.
- (b) Garage for motor vehicles owned by occupants of the dwelling.
- (c) Deleted. [Amended effective 8-10-2018]
- (d) Recreational vehicles.
- [1] Storage of recreational vehicles owned or leased by the occupant of the dwelling, provided that such vehicles are located in accordance with the front yard requirements of this zone and are effectively screened from view from the street and adjacent properties to the satisfaction of the Zoning Inspector.
- [2] The open storage of recreational vehicles shall be prohibited as an accessory use for multifamily dwellings.
- (e) Storage of not more than one (1) commercial vehicle, as defined in Chapter 246, Section 14-1, of the Connecticut General Statutes, which does not exceed one-ton rated capacity.
- (f) A driveway or walk used for access to a business or industrial use shall not be permitted as an accessory use.
- (g) Family day-care homes in single-family and two-family dwellings and group day-care homes in single-family dwellings, subject to the conditions that a state license or registration is obtained by the provider and the outdoor play areas shall be fenced and/or adequately screened from adjacent properties to the satisfaction of the Zoning Inspector. [Added effective 6-12-1987]
- (h) Greenhouses, provided that any structures are clearly accessory to the main dwelling unit. No roadside stands shall be permitted. [Added effective 2-2-1990]
- (i) Tag sales, not to exceed three (3) per calendar year per property, shall be allowed as an accessory use to a permitted residential use, provided that each tag sale event shall be limited to a maximum of three (3) days and is operated during daytime hours only by a resident of the property. This is inclusive of tag sales, garage sales, yard sales and other similar types of sales. [Added effective 2-26-2007]
- (j) Portable storage container, other than those used during construction for which a valid Building permit has been issued, shall be permitted for a maximum period of one (1) month in any calendar year and limited to one (1) such container placed on an individual property at any one time and such container shall not exceed eight (8) feet in height or one hundred and sixty (160) square feet in size. [Added effective 5-29-2009]
- (k) Ingress or egress awning or canopy for hospitals, nursing homes, congregate housing, medical offices and similar facilities, subject to Section 118-810(I). [Added effective 9-24-2010]
- (m) Storage of not more than one (1) unregistered motor vehicle, provided that such vehicle is located in accordance with the front, side and rear yard requirements of this zone. [Added effective 5-27-2011]

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

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

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

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

(6) Additional standards for multifamily developments of three – six units [Added effective 11-24-2006, Amended effective 3-30-2007, 9-26-2008]

- (a) All properties shall provide a building along the street not to exceed two and one half (2 1/2) stories and twenty-six (26) feet in height, as measured from the average elevation of the finished grade around the front and sides of such structure, provided that:
 - 1. All such building(s) shall be located thirty (30) feet from the front property line with entry doors facing the street, shall not exceed thirty (30) feet in depth, and may have an unenclosed porch or deck extending not more than eight (8) feet from the conforming front wall of said structure, and

2. The combined length of such building(s) shall occupy a minimum of fifty percent (50 %) of the lot width at the front setback line, provided that individual buildings do not exceed 60 (sixty) feet in length, and
 3. All required parking shall be located behind such structure and adequately screened with a five (5) foot landscaped buffer strip, with no garage openings directly facing the street.
 4. An unenclosed front porch or deck may be exempt from building area calculations where such structure is designed to promote pedestrian activity along the street and enhance the residential character of the building and neighborhood, subject to approval by the Commission. [Added effective 3-30-2007]
- (b) That portion of a building not exceeding one and one half (1 1/2) stories adjacent to the exterior wall of the building that faces the rear yard and sixteen (16) feet in height as measured from the average elevation of the finished grade around that portion of the building which extends into the rear yard, may extend into the required rear yard, provided that a minimum setback of fifteen (15) feet from the rear property line is maintained.
- (c) Existing structures that do not comply with above requirements are hereby declared to be in conformance with these regulations provided that such structures are maintained, rehabilitated and integrated into the proposed development.
- (7) Additional standards for multifamily developments with over six (6) units [Added effective 11-24-2006, amended effective 3-30-2007, 9-26-2008]
- (a) All properties shall provide a building or buildings along the street not to exceed two and one half (2 1/2) stories and twenty-six (26) feet in height, as measured from the average elevation of the finished grade around the front and sides of such structure, provided that:
 1. All such building(s) shall be located thirty (30) feet from the front property line with entry doors facing the street, shall not exceed thirty (30) feet in depth, and may have an unenclosed porch or deck extending not more than eight (8) feet from the conforming front wall of said structure, and
 2. The combined length of such building(s) shall occupy a minimum of fifty five percent (55 %) of the lot width at the front setback line, provided that individual buildings do not exceed 80(eighty) feet in length, and
 3. All required parking shall be located behind such structure and adequately screened with a five (5) foot landscaped buffer strip, with no garage openings directly facing the street.
 4. An unenclosed front porch or deck may be exempt from building area calculations where such structure is designed to promote pedestrian activity along the street and enhance the residential character of the building and neighborhood, subject to approval by the Commission. [Added effective 3-30-2007]
 - (b) That portion of a building not exceeding two and one half (2 1/2) stories adjacent to the exterior wall of the building that faces the side and rear yard and twenty-six (26) feet in height as measured from the average elevation of the finished grade around that portion of the building which extends into the side or rear yard, may extend into the required side or rear yard, provided that a

minimum setback from the property line of twenty (20) feet from the side and thirty (30) feet from the rear is maintained.

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

(8) The height, bulk, location and use of all buildings in existence at the time of adoption of this section are hereby declared to be in conformance with the requirements of this section, provided that if such buildings are destroyed by fire, explosion or act of God or act of public enemy to an extent exceeding fifty percent (50%) of their assessed value, they may be reconstructed only if the height, bulk, location and use of the building is substantially as it had previously existed, subject to approval by the Director of Planning and Zoning, except as modified where necessary to conform with the flood hazard zone and coastal area management provisions of these regulations. The owners of such property shall document by A-2 survey or other means, the height, bulk, location and use of the building as it had previously existed. [Added effective 11-24-2006]

D. Off-street parking and loading requirements. See §§ 118-1200 through 118-1260, and, in addition:

(1) Where two (2) properties are adjoining, the required buffer strip for parking may be waived and a single shared driveway established, not to exceed 24 feet in width; provided that both property owners file an easement on the Norwalk Land Records granting the owner(s) of the adjacent property permanent access to that portion of the driveway and parking facility located on the subject property and that an additional five (5) feet be added to the required side setback on the opposite side of each parcel. Under these circumstances, where a multifamily building has a garage facing the shared driveway, such garage shall not count as a story. [Added effective 7-28-2006, amended eff 9-26-2008]

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Editor's Note 23: Former Subsection B(2)(e), Orphanage or children's home, was repealed effective 1-27-1984.

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

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

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

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

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

ARTICLE 40, Planned Residential Developments [Added effective 7-1-1955]

§ 118-400. Planned residential developments. [Amended effective 4-20-1971; 3-27-1974; 8-25-1978]

A. Purpose and intent. It is the intent of the planned residential development regulations to allow flexibility in the design and layout of multifamily dwellings in specified zones, consistent with the general pattern of land use and population density. Such multifamily dwellings are intended to provide for persons who seek the convenience of multifamily living with the amenities associated with single-family detached units. The provisions of these regulations are intended to ensure that all uses and structures will be compatible with adjacent residential areas and will maintain the character of the neighborhood in which they are located.

B. Regulations for planned residential development.

(1) Planned residential development shall be permitted by Special Permit in accordance with the provisions of Article 140, § 118-1450, Special Permits, and shall comply with the additional standards set forth herein:

(a) In planned residential development, premises shall be used and buildings shall be erected which are used or intended to be used for multifamily dwellings and are designed in a townhouse- or garden-apartment-type construction.

(b) A planned residential development consisting solely of elderly housing units, as defined, shall be permitted subject to the standards set forth herein, except where hereafter provided. [Added effective 9-29-1978]

(c) The entire planned residential development shall be located in B, C and D Residence Zones in the City of Norwalk, and no other. [Amended effective 2-2-1979]

(d) Planned residential developments shall be in single ownership, including condominium ownership.

(e) The number of multifamily dwellings allowed by § 118-400, Planned Residential Developments, in the B Residence Zone shall not exceed one thousand eight hundred six (1,806) units, which are existing or approved as of December 31, 1990, and in the C Residence Zone shall not exceed six hundred thirty-eight (638) units, which are existing or approved as of March 1992. [Added effective 6-30-1989; amended effective 5-25-1990; 12-7-1990; 3-27-1992]

C. Additional standards for planned residential developments. Planned residential developments shall be subject to the following additional standards:

(1) No main building shall be nearer to any other main building other than twenty (20) feet; provided, however, that if the overlapping wall of two (2) main buildings is not greater than ten (10) feet the distance between buildings at this point need not be greater than ten (10) feet.

(2) A half-story under the pitched roof of the building shall not be occupied for living quarters or storage purposes and may be excluded from the computation of the number of stories. A half-story located in part below the center-line elevation of the street may be occupied for living quarters and, if so used, shall be included in the computation of the number of stories. [Amended effective 7-30-1982]

(3) In a B Residence Zone, each dwelling unit shall have a minimum floor area of seven hundred fifty (750) square feet, except that each elderly housing unit shall have a minimum floor area of five hundred (500) square feet. In C and D Residence Zones, each dwelling unit shall have a minimum floor area of five hundred (500) square feet. In determining the minimum floor area, common stairs, common foyers and the like shall be excluded. A minimum of one-half (1/2) of the units shall have four (4) rooms or more, excluding bathrooms, except for elderly housing wherein every unit shall have a minimum of two (2) rooms, excluding bathrooms. Each dwelling unit shall have a fully equipped bathroom with a minimum area of thirty-five (35) square feet, one (1) room with a minimum area of two hundred (200) square feet, and no bedroom shall have an area less than one hundred (100) square feet. [Amended effective 9-29-1978]

(4) Open space and recreational facilities shall be dispersed in such a way as to ensure the health, safety and convenience of the residents for whose use they are intended. The site plan shall indicate the manner of development, for example, barbecue fireplaces, picnic tables, play equipment, swimming pools, tennis courts, landscaping, walkways, etc. All areas of a site not used for building, parking, walks, drives, etc., shall be suitably landscaped. New construction shall be designed and carried out in a manner which results in the least defacement to the existing landscape features of the site. All open spaces shall be deemed to be required open space on said parcel and shall not thereafter be reduced or encroached in any manner.

(5) Pedestrian walkways a minimum of three (3) feet in width shall be provided between buildings and between buildings and public highways so as to discourage the use of driveways for pedestrian use.

(6) Public sewer facilities shall be utilized and adequate provision for storm drainage shall be made, as determined by the Commission.

(7) Where provided, outdoor refuse areas or containers and laundry drying yards shall be screened from view from adjacent streets and properties.

D. Accessory uses and structures. Accessory uses and structures which are incidental to and customarily associated with the principal use of the premises shall be permitted, subject to approval by the Commission.

E. [Amended effective 2-2-1979; 3-1-1985; 6-12-1987; 1-29-1988] Lot and building requirements.

(1) See Schedule of Residential Uses and all other applicable sections of these requirements.

(a) A planned residential development consisting solely of elderly housing units, as defined, shall be permitted subject to the following provisions:

[1] Minimum required lot area shall be four thousand (4,000) square feet per dwelling unit in a B Residence Zone and two thousand (2,000) square feet per dwelling unit in C and D Residence Zones. Minimum lot size shall be two (2) acres.

[2] Recreation area required shall be one hundred seventy-five (175) square feet per dwelling unit subject to § 118-400C(4).

[3] All setback and lot requirements, other than Subsection E(1)(a)[1] and [2] above, shall pertain as outlined in the Schedule of Residential Uses.

(b) Where the Commission finds that existing vegetation or natural changes in topography effectively screen visibility from adjacent properties or where the abutting land use is nonresidential, the Commission may allow structures to locate to within forty (40) feet of the side and rear property lines. In such areas, the existing vegetation or natural changes in topography shall be preserved and supplemented with fences, walls, berms and dense landscaping which, in the determination of the Commission, adequately screen the planned residential development from adjacent properties the year round.

(2) Parcels which contain a body of water, a designated inland wetland or watercourse or tidal wetland shall include only fifty percent (50%) of said body of water or designated wetland area in arriving at the maximum number of dwelling units permitted.

F. Off-street parking and driveways. See §§ 118-1200 through 118-1260, and in addition:

(1) Parking facilities and driveways shall not be closer than twenty-five (25) feet to the street or property lines. [Amended effective 3-1-1985]

(2) [Amended effective 4-12-1985] The surface and subsurface of driveways must conform to the following minimum requirements:

(a) A base of twelve (12) inches of bank-run gravel or eight (8) inches of processed aggregate.

(b) A wearing course of bituminous concrete that is two and one-half (2 1/2) inches thick after compaction or two (2) courses of bituminous concrete one and one-fourth (1 1/4) inches thick each, after compaction.

(c) All materials and methods of construction shall be in accordance with the State of Connecticut, Department of Transportation, Standard Specifications for Roads, Bridges and Incidental Construction, Form 811, as amended.

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

ARTICLE 41, Conservation Developments [Added effective 3-13-1981]

118-410. Conservation developments.

A. Purpose and intent. The intent of this regulation is to provide alternatives to residential development presently permitted under existing zoning when such alternatives, in the judgment of the Commission, will assure the conservation of land and will accomplish one (1) or more of the following purposes:

- (1) To conserve and preserve land to assure that its development will best maintain and enhance the appearance, character and natural beauty of an area;
- (2) To preserve land for park and recreation purposes;
- (3) To preserve and protect particular areas and terrain which have qualities of natural beauty or historic interest;
- (4) To protect streams, rivers and ponds as natural resources and to avoid flooding, erosion and water pollution; and
- (5) To preserve wetlands, marshlands, tidelands, marine and wildlife habitats and other areas having conservation values.

B. Regulations for conservation development. Conservation development shall be permitted by Special Permit in accordance with the provisions of Article 140, § 118-1450, Special Permits, and shall comply with the additional standards set forth herein:

- (1) In conservation development, premises shall be used and buildings shall be erected which are used, designed or intended to be used for single-family detached dwellings;
- (2) Conservation developments shall be permitted in AAA, AA and A Residence Zones and no other; and
- (3) Conservation developments shall be in single ownership, including condominium ownership.

C. Additional standards for conservation developments. Conservation development shall be subject to the following additional standards:

- (1) No main building shall be nearer to any other main building than forty (40) feet in the AAA Zone, thirty (30) feet in the AA Zone and twenty (20) feet in the A Zone.
- (2) No building shall be permitted within forty (40) feet of a designated inland wetland or watercourse or tidal wetland.

(3) [Amended effective 3-2-1990] The maximum number of dwellings permitted in a conservation development shall be determined by dividing the total acreage of the parcel by the minimum lot size permitted in the zone and multiplying the result by eighty-five hundredths (0.85). A fraction of one-half (1/2) or more shall be rounded off to the next higher whole number.

(a) Parcels which contain a body of water, a designated inland wetland or watercourse or tidal wetland shall include only thirty-three and one-third percent (33 1/3%) of said body of water or designated wetland area in arriving at the maximum number of dwelling units permitted above; and

(b) For parcels which have two (2) or more zone designations, the maximum number of dwellings permitted shall be determined by the land area within each zone.

(4) To the maximum extent practicable, public sewer and water facilities shall be utilized, and adequate provision for storm drainage shall be made as determined by the Commission.

(5) To the maximum extent practicable, dwelling units shall be oriented to allow for the effective use of solar energy.

D. Conservation land requirements.

(1) An area within each conservation development equal to not less than fifty percent (50%) of the total area of the parcel shall be designated as conservation land. Said conservation land shall be located entirely within the conservation development, shall have suitable pedestrian access from an existing or proposed street, shall result in preservation of such land as open space and shall have shape, dimensions, character and location to accomplish the purpose and intent of Subsection A of this section. [Amended effective 8-24-1984; 3-2-1990]

(2) Disturbed land, or land otherwise not in its original condition, may be designated as conservation land when improved so as to satisfy the purpose and intent of Subsection A of this section. [Added effective 10-11-1985^{EN29}]

(3) Conservation land shall be preserved and maintained solely for one (1) or more of the purposes enumerated in Subsection A of this section by one (1) of the following methods:

(a) The formation of a neighborhood association consisting of each owner within the conservation development who shall have an undivided interest in the conservation land. The association shall maintain the conservation land for the purposes intended and shall have the power to assess the members for all necessary costs;

(b) Offer and transfer the conservation land to the City of Norwalk, subject to agreement by the city to accept the land; or

(c) Transfer of the land to an institution, person, organization or other entity to own and maintain the conservation land for the purposes intended.

(4) The owner of the conservation land shall execute, acknowledge and record upon the Norwalk land records such maps and documents as, in the opinion of the Corporation Counsel, will effectively create a trust, easement or covenant running with the land for the benefit of the adjoining landowners and of the City of Norwalk, which will be binding on all future owners of the conservation land; will not be affected by any change in zoning or land use; may be enforced by residents of the conservation development, adjoining property owners or the City of Norwalk by appropriate action in court for damage or equitable relief; will be perpetual; will assure appropriate maintenance of the conservation land to the satisfaction of the Zoning Commission; and shall provide that if maintenance, preservation and/or use of the conservation land no longer complies with the provisions of the trust, easement or covenant, the city may take all necessary action to assure compliance and assess against the owner all costs incurred by the city for such purposes.

(5) The application for conservation development shall state the conservation purposes to be accomplished and the proposed method of assuring the preservation and maintenance of the conservation land.

E. Accessory uses and structures. Accessory uses and structures which are incidental to and customarily associated with the principal use of the premises shall be permitted, subject to approval by the Commission.

F. Lot and building requirements. See Schedule of Residential Uses and all other applicable sections of these regulations.^{EN30}

G. [Amended effective 8-24-1984] Off-street parking and driveways. See §§ 118-1200 through 118-1260, and in addition:

(1) Parking facilities and driveways shall not be closer than twenty-five (25) feet to the street or property lines.

(2) (Reserved)^{EN31}

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

Editor's Note 29: This amendment also provided for the renumbering of former Subsection D(2) and (3) and (4) and D(3), (4) and (5).

Editor's Note 30: The Schedule of Residential Uses is contained at the end of this chapter.

Editor's Note 31: Former Subsection G(2), dealing with surface and subsurface of driveways, was repealed effective 4-12-1985.

ARTICLE 42, Accessory Apartments [Added effective 6-4-1982]

118-420. Accessory apartments. [Amended effective 1-27-1984; 9-26-1986]

A. Purpose and intent. The intent of this regulation is to encourage the creation of accessory apartments in existing single-family residences for the purpose of providing rental housing for the elderly, single persons and small families. This regulation is designed to ensure that, in creating an accessory apartment, the single-family character of the principal dwelling will be retained. Accessory apartments are further intended to enable the viability of Norwalk's single-family zones to be continued.

B. Regulations. Accessory apartments shall be permitted in AAA, AA, A and B Residence Zones, subject to the following requirements:

(1) Accessory apartments shall be permitted in single-family dwellings which:

(a) Have been in existence a minimum of three (3) years.

(b) Are located on lots meeting the minimum lot area and width requirements of the applicable zone, except that lots in the B Residence Zone must meet one and one-fourth (1 1/4) times the minimum area requirement of the B Residence Zone.

(2) The owner of the property must reside on the premises.

(3) To the maximum extent practicable, the principal dwelling and the accessory apartment shall utilize public water and sewer. If such facilities are not available within a reasonable distance, the use of private water and septic systems shall be subject to approval by the Department of Health.

C. Additional standards.

(1) An accessory apartment may extend or enlarge the principal dwelling, provided that:

(a) The single-family character of the dwelling is not changed.

(b) The lot coverage of the principal dwelling is not increased by more than one hundred fifty (150) square feet.

(c) A dormer does not extend in height beyond the existing roof ridge line and does not extend in depth beyond the first floor exterior wall.

(2) The accessory apartment shall be a minimum of four hundred (400) square feet in area but not more than seven hundred (700) square feet in area. The area of

the principal dwelling shall not be reduced to less than eight hundred (800) square feet.

(3) An accessory apartment shall contain not more than one (1) bedroom, and occupancy shall be limited to three (3) persons, not more than two (2) of whom shall be adults.

(4) Three (3) off-street parking spaces shall be provided: two (2) spaces per principal dwelling and one (1) space per accessory apartment. Such parking shall be adequately drained and suitably screened from adjacent residences.

D. Procedure for approval.

(1) Applications for accessory apartments shall be subject to approval solely by the Zoning Inspector.

(2) A certificate in the form of an affidavit which verifies that the owner continues to reside on the premises and that all other conditions met at the time of the original application remain unchanged shall be submitted to the Zoning Inspector by January 31 of each year.

ARTICLE 43, Waterfront Clubs [Added effective 3-11-1983]

118-430. Waterfront clubs.

A. Purpose and intent. Waterfront clubs provide large numbers of people with the opportunity to have access to Norwalk's coastal waters and to enjoy recreational activities unique to their waterfront location. Therefore, consistent with the coastal area management water dependency policy, it is the purpose of this regulation to encourage waterfront clubs by Special Permit in specified zones. The provisions of these regulations are intended to ensure that waterfront clubs be compatible with adjacent residential areas and will maintain the character of the neighborhood in which they are located.

B. Special definition. As used in this Article, the following terms shall have the meanings indicated:

WATERFRONT CLUBS -- A private club providing significant water-related recreation, such as swimming, boating, marinas, docks, beach and/or pool and which has adopted a membership policy that is open to anyone regardless of race, creed or color.

C. [Amended effective 3-17-1995; 6-27-1997] Regulations. Waterfront clubs shall be permitted by Special Permit in the Island Conservation Zone, AAA, AA, A, C and D Residence Zones, subject to the following requirements:

- (1) Waterfront clubs shall comply with the height and bulk provisions of the AAA Residence Zone, except that in C Residence Zones, waterfront clubs shall comply with the C Residence provisions, and in D Residence Zones, waterfront clubs shall comply with the D Residence provisions.
- (2) Off-street parking and loading facilities shall be located in accordance with the required building setback lines.
- (3) Waterfront clubs, including parking and loading facilities, shall be effectively screened from view from adjacent streets and properties.

ARTICLE 44, Hospital Zone [Added effective 12-24-1992]

§ 118-440. Hospital zone.

A. Purpose and intent. The purpose of this zone is to provide for the continued growth and development of Norwalk Hospital in a manner compatible with the surrounding residential neighborhood. Hospital facilities shall be designed within the capacity of the infrastructure necessary to support such operations. The provisions of this zone permit hospital facilities and specified accessory uses, which are supportive of, but clearly subordinate to, the primary hospital facility.

B. Special definition. As used in these regulations, the following term shall have the meaning indicated:

HOSPITAL -- A voluntary, not-for-profit, acute care and short-term general hospital licensed by the State of Connecticut; which provides medical, surgical, psychiatric and obstetrical care primarily to inpatients and emergency room, ambulatory and clinical care for outpatient diagnosis and treatment and other uses customarily associated with a hospital. A "hospital" shall include, but is not limited to, offices for hospital administrators and hospital employees, including physicians who work for or are under contract with the hospital; hospital support facilities, such as medical laboratories, diagnostic testing centers, physical therapy and inpatient pharmaceutical facilities; storage facilities for medical equipment and supplies; hospital operations and maintenance facilities, such as food service and laundry facilities, housekeeping and maintenance storage areas; extended care facilities; overnight accommodations and cafeteria facilities for on-duty hospital employees and medical residents; medical libraries, research and educational facilities; cogeneration, incineration, water, electrical and heating equipment facilities; and off-street parking facilities.

C. Regulations for hospital zone development. Hospital zone development shall be permitted by Special Permit in accordance with the provisions of § 118-1450, Special Permits, and the other requirements of this section, and shall include the following principal and accessory uses:

(1) Principal uses and structures:

- (a) Hospital.
- (b) Offices for private physicians.
- (c) All uses permitted in a D Residence Zone, subject to § 118-360.

(2) Accessory uses and structures. The following accessory uses which are incidental to and customarily associated with the principal use of the premises shall be permitted in a Hospital Zone, provided that the cumulative floor area devoted to such uses does not exceed twenty-five percent (25%) of the gross floor area of the hospital:

- (a) Pharmacies, gift stores, banking facilities, restaurants and retail or personal service shops, provided that access is only from within the building.
- (b) Day-care centers and associated recreational facilities.
- (c) Chapels and places of worship.
- (d) Auditoriums.
- (e) Offices for private physicians affiliated with and having staff privileges at the hospital and their employees, which may include private examination rooms,

limited to no more than ten percent (10%) of the gross floor area of the hospital.

- (f) Overnight accommodations within the hospital for patients' families.
- (g) Communication facilities, including radio communication centers, radio antennas and microwave facilities, subject to the standards of § 118-830B.
- (h) Employee services, such as credit unions.
- (i) Helicopter landing site for the reception and transport of emergency patients.
[Added effective 11-24-1995]
- (j) Electric power generator, as defined herein, subject to Section 118-830(B).
[Added effective 1-26-2007]

D. Additional standards for hospital zone development. All development in a hospital zone shall be subject to the following additional standards:

- (1) Uses which are not otherwise permitted in Subsection C.(1) and (2) shall not be permitted by variance in the hospital zone.
- (2) All areas of the site not used for building, parking, walks and drives shall be suitably landscaped. New construction shall be designed and carried out in a manner which results in the least disturbance to the existing landscape features of the site.

E. Lot and building requirements. See the Schedule Limiting Height and Bulk of Buildings, Commercial and Industrial, and all other applicable sections of these regulations, and in addition:

- (1) The height, bulk, location and use of all buildings and parking lots in existence or for which Special Permits have been issued as of the effective date of this section are hereby declared to be in conformance with the requirements of this section, provided that if such buildings are destroyed by fire, explosion, act of God or act of public enemy to an extent exceeding fifty percent (50%) of their assessed value, they may be reconstructed only if the height, bulk, location and use of the building is substantially as it had previously existed, subject to approval by the Director of Planning and Zoning. The owners of such property shall document by A-2 survey or other means, the height, bulk, location and use of the building as it had previously existed.
- (2) On lots where the principal use is a private physician's office or a D Residence use, developments shall comply with the Schedule Limiting Height and Bulk of Buildings, Residential: D Residence, over six (6) dwelling units.
- (3) If two (2) or more parcels of land are recorded on the Norwalk Land Records as being under the ownership of Norwalk Health Services Corporation or its subsidiaries and are divided by a public street, such lots shall be considered as one for the purposes of these regulations.
- (4) A maximum building height of nine (9) stories and one hundred fifteen (115) feet and six (6) stories and seventy-five (75) feet shall be permitted for any portion of a hospital building within the nine-story or six-story building areas, respectively, as shown on the A-2 survey of the Hospital zone filed in the Norwalk Land Records.
- (5) Stair and elevator towers and appurtenant vestibules, of two hundred (200) square feet or less, shall be exempt from the maximum building height and story limitations of this section and as shown in the Schedule limiting height and bulk of buildings and size of lot, Commercial and Industrial Part 2 for the Hospital Zone. [Amended

effective 2-24-2012]

- F. Off-street parking and loading requirements. See §§ 118-1200 through 118-1260, and in addition:
- (1) Parking facilities and driveways shall not be closer than fifteen (15) feet to a property line which abuts a residence zone.
 - (2) Entrances and exits to parking and loading areas shall be located and directional signs shall be placed so as to direct traffic away from local residential streets.
 - (3) Buildings within a Hospital Zone may be attached or connected by an enclosed aboveground walkway which may cross a public street, subject to review and approval by the Director of Public Works and the Norwalk Common Council. Such aboveground walkways and their associated elevators or stairwells shall be exempt from the setback provisions of this regulation.
- G. Sign regulations. See § 118-1290 through § 118-1295, and in addition:
- (1) All signs shall be setback a minimum of five (5) feet from any property line and shall otherwise comply with the Exterior Signage and Graphics Manual, as approved by the Zoning Commission.
 - (2) No exterior signs shall be permitted for the accessory uses listed in Subsection C .(2)(a) herein.

ARTICLE 50, Use Regulations Controlling Business Zones [Added effective 7-25-1955]

§ 118-500. East Avenue Village District. [Amended effective 7-25-1955; 9-13-1955; 11-10-1966; 12-11-1975; 7-15-1976; 5-16-1980; 6-27- 2003; 10-28-2005; 5-29-2009; 9-25-2009; 10-29-2010; 4-29-2016; 6-10-2016]

A. Purpose and intent. It is the purpose of this zone to ensure that the unique character of this district is maintained for future generations in accordance with Connecticut General Statutes Section 8-2j Village Districts and to provide areas primarily for offices and other compatible uses which will meet existing and future needs within the city and which will constitute a harmonious and appropriate part of the physical development of the city. The provisions of this zone are intended to preserve and enhance the character of the East Avenue Village district by encouraging the preservation of sites and buildings of unique historical and architectural value and assuring that new structures and uses will be in keeping with the established character of the area, thereby strengthening the economy of the city and promoting the education, pleasure and welfare of its people.

B. Uses and structures.

- (1) Principal uses and structures. In the East Avenue Village District, premises shall be used and buildings shall be erected which are used, designed or intended to be used for one (1) or more of the following uses and no others:
 - (a) Single-family detached dwelling.
 - (b) Two-family detached dwelling.
 - (c) Office buildings having a gross floor area of less than six thousand (6,000) square feet and used for municipal offices, for business and professional establishments which involve no retail sales, including medical offices, and for solely the office function of a taxi or limousine establishment; no on site storage or parking of vehicles used by the establishment or storage of equipment or materials shall be permitted. [Amended eff. 9-25-2009; eff. 10-28-2011]
- (2) Special Permit uses and structures. The following uses shall be permitted by Special Permit in accordance with the provisions of Article 140, § 118-1450, Special Permits, and shall comply with the Schedule Limiting Height and Bulk of Buildings, Commercial and Industrial, and any additional standards set forth herein:
 - (a) Office buildings having a gross floor area of six thousand (6,000) square feet or more for municipal offices and for business and professional establishments which involve no retail sales, including medical offices. [Amended eff. 9-25-2009]
 - (b) Hotel or inn; up to three (3) stories and thirty-five (35) feet in height when located on a parcel of three (3) acres or more. [Amended eff. 10-29-2010]
 - (c) Public and private colleges and universities.
 - (d) Schools, including business schools and studios.
 - (e) Lodge, meeting and concert halls, including social clubs.
 - (f) Full service restaurants having an active commercial floor area of one thousand (1,000) square feet or greater. No diner, drive-in or stool-and-counter-type restaurants shall be permitted. [Amended effective 5-29-2009]
 - (g) Funeral homes.
 - (h) Places of worship. [Amended effective 7-24-2015]

- (i) Public museums.
 - (j) Multifamily dwellings shall be allowed in accordance with the provisions of Subsection C(1) and (2) of this section. [Amended effective 2-12-1988]
 - (k) Halfway houses allowing a maximum of twenty (20) persons with no less than two hundred (200) square feet of living area per person. EN32 [Added effective 6-12-1987; amended effective 6-29-1990]
 - (l) Nursery school or child day-care center. [Added effective 6-12-1987]
 - (m) Youth day camps. [Added effective 6-12-1987]
 - (n) Public or nonprofit community center. [Added effective 6-12-1987]
 - (o) Group homes. EN33 [Added effective 6-12-1987]
- (3) Uses which are not otherwise permitted in Subsection B(1) and (2) above shall not be permitted by variance in the East Avenue Village District.
- (4) Village District Review Standards:
- (a) The uses permitted by Special Permit in the East Avenue Village District shall be subject to the following additional standards:
 - (1) The Commission may refer applications for Special Permit to appropriate city agencies and departments for review and recommendations. EN34
 - (b) The Commission shall hire a Village District Consultant, who shall be an architect, landscape architect or certified planner, with pertinent experience, to review the design of new construction and substantial rehabilitation of all properties within the district. The report of such consultant shall be entered into the public hearing record and considered by the Commission in making its decision.
 - (c) Criteria: New construction and substantial rehabilitation of existing structures, including those listed on the Norwalk Historic Resources Inventory, shall be harmoniously related to their surroundings and shall be consistent with the Connecticut Historical Commission - Secretary of the Interior's Standards for Rehabilitation, as applicable. All applications shall demonstrate how such development is consistent with the criteria defined in Connecticut General Statutes section 8-2j Village Districts, including but not limited to the following criteria, subject to final review and approval by the Commission:
 - (1) Building Design, Scale & compatibility: The color, size, height, location, proportion of openings, roof treatments, building materials, and any proposed signs and lighting shall be consistent with the local architectural motif and with the unique elements of the district, including maintenance of historic buildings, monuments and landscaping. The removal or disruption of historic or significant structures or architectural elements shall be minimized.
 - (2) Streetscape Standards & Landscaping: All spaces, structures and related site improvements visible from public roadways shall be designed to be consistent with the elements of the district in and around the proposed modification.
- (5) Accessory uses and structures. Accessory uses and structures which are incidental to and customarily associated with the principal use of the premises shall be permitted and subject to the following restrictions.
- (a) A driveway or walk used for access to an industrial use shall in no case be permitted as an accessory use.

- (b) Accessory uses and structures shall be located to the rear of the principal use of the premises.
- (c) Ingress or egress awning or canopy for hospitals, nursing homes, congregate housing, medical offices and similar facilities, subject to Section 118-810(I). [Added effective 9-24-2010]
- (d) Outdoor refuse collection and recycling receptacles shall be located behind the front setback and shall be screened from public view and from adjacent properties with a six (6) foot high fenced enclosure or year-round landscaped screening, subject to zoning inspector approval. [Added effective 7-29-2011]
- (e) Where permitted by the Commission, entertainment in the form of live music shall be permitted as accessory to a restaurant use provided that all windows and doors shall remain closed while the entertainment is underway, except for the normal passage of people into and out of the premises [Added eff. 9-30-2011]
- (f) All rooftop mechanical equipment, including all heating, ventilation and air conditioning (HVAC) units, shall be setback a minimum of ten (10) feet from the edge of the roof and fully screened with architecturally compatible screening. [Amended effective 9-26-2014]

C. Lot and building requirements. See the Schedule Limiting Height and Bulk of Buildings - Commercial and Industrial and all other applicable sections of these regulations, and in addition:

- (1) Residential use as the principal use of the premises shall be permitted, provided that the number of dwelling units does not exceed a density of one (1) unit per one thousand six hundred fifty (1,650) square feet of lot area, up to a maximum of six (6) units.
- (2) Residential and nonresidential uses on the same lot shall be permitted, provided that: [Amended effective 2-12-1988]
 - (a) For lots of fifteen thousand (15,000) square feet or less in area, the number of dwelling units shall not exceed a density of one (1) unit per one thousand six hundred fifty (1,650) square feet of lot area, up to a maximum of no more than six (6) dwelling units per lot.
 - (b) For lots larger than fifteen thousand (15,000) square feet in area, the number of dwelling units shall not exceed a density of one (1) unit per two thousand five hundred (2,500) square feet of lot area, up to a maximum of no more than eighteen (18) dwelling units per lot.
- (3) All multifamily dwellings shall provide an open recreation area of not less than one hundred fifty (150) square feet per dwelling unit, which shall be located with due concern for the safety and convenience of the residents for whose use it is intended. [Added effective 2-12-1988]
- (4) Properties located on the waterfront shall provide public access adjacent to the water, which shall be a minimum of fifteen (15) feet in width, and Access from the street to the water, subject to Commission approval. Such public accessways shall be in the form of landscaped walks, esplanades, boardwalks or piers, of suitable design to encourage active use by the public, and shall be dedicated as such in the deed to the property. Reasonable time of day restrictions may be established regarding such accessways, where justified for reasons of security or public safety. Where the principal use of the property is a single or two-family dwelling, the public access requirement shall not apply.

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

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

§ 118-501. Washington Street Design District. [Added effective 1-29-1982, amended effective 11-24-2006; 4-24-2009; 5-29-2009, 2-24-2012, 9-28-2012, 12-19-2014; 11-15-2019]

- A. Purpose and intent. The purpose of this regulation is to preserve and enhance the unique character of the Washington Street Historic District and environs by encouraging the preservation of existing buildings, by encouraging the mixed-use of properties and by ensuring that all uses and structures will be compatible with one another and with the established character of the area. It is intended that all new construction, rehabilitation and alterations be designed and carried out in relation to surrounding structures and with appropriate consideration to the unity of the district, according to prescribed guidelines. It is further intended that off-street parking for uses and structures will be met by public parking facilities.
- B. Uses and structures. This district is located entirely within the coastal boundary and, as such, all uses and structures, unless otherwise exempt, shall comply with the coastal site plan review requirements in Secs. 11 through 15 of P.A. 79-535 and with Article 111, § 118-1110, herein.
- (1) Principal uses and structures. In the Washington Street Design District, premises shall be used and buildings shall be erected which are used, designed or intended to be used for one (1) or more of the following uses and no others, subject to the provisions of § 118-1451, Site plan review:
- (a) Dwellings, when located above any principal or Special Permit use.
 - (b) Retail stores and personal service shops.
 - (c) Offices, including medical offices. [Amended eff. 9-25-2009]
 - (d) Banks and financial institutions, excluding drive-in facilities.
 - (e) Full service restaurants and Brew Pub/Distillery with full kitchens that offer the regular sale of food during all hours of operation. [Amended effective 5-28-1999, 5-29-2009, 9-28-2012; 11-15-2019]
 - (f) Museums.
 - (g) Theaters and auditoriums.
 - (h) Off-street parking facilities.
 - (i) Places of worship. [Added effective 7-24-2015]
- (2) Special Permit uses and structures. The following uses shall be permitted by Special Permit in accordance with the provisions of Article 140, § 118-1450, Special Permits, and shall comply with the Schedule Limiting Height and Bulk of Buildings, Commercial and Industrial, and any additional standards set forth herein:
- (a) The expansion of an existing manufacturing use.
 - (b) Hotels and extended stay hotels up to eight (8) stories and eighty-nine (89) feet in height, or boatel. [Amended effective 4-24-2009; 12-19-2014]
 - (c) Marinas.
 - (d) Commercial boat docks.
 - (e) Commercial recreation establishment. [Added effective 12-7-1990]

- (f) Boutique manufacturing shall be allowed as an accessory use to a permitted retail use, subject to compliance with the following requirements: [Added effective 10-28-2005]
- (1) Such boutique manufacturing shall not exceed three thousand (3,000) square feet in area and shall be directly related to the principal permitted retail use; and
 - (2) All manufacturing activity, including the storage of all equipment, materials and products, shall occur inside the building; no outside storage of any kind is permitted; and
 - (3) Only manufacturing processes that are not offensive with regard to noise, light, dust and odors, and which have the same or lesser impact than the principal retail use are permitted; and
 - (4) The manufacturing activity shall occupy an area of no more than sixty percent (60%) of the gross floor area occupied by the associated retail establishment; and
 - (5) The manufacturing process is principally artisan or fabrication by hand, and shall not include mass production or assembly line operations; and
 - (6) The manufacturing operations will not generate excessive traffic volumes or truck traffic in excess of that typically occurring in the adjacent district or neighborhood; all loading activity shall occur during daytime hours only.
- (3) Uses which are not otherwise permitted in Subsection B (1) and (2) above shall not be permitted by variance in the Washington Street Design District.
- (4) Accessory uses and structures. Accessory uses and structures which are incidental to and customarily associated with the principal use of the premises shall be permitted.
- (a) Ingress or egress awning or canopy for hospitals, nursing homes, congregate housing, medical offices and similar facilities, subject to Section 118-810(I). [Added effective 9-24-2010]
 - (b) Outdoor refuse collection and recycling receptacles shall be located behind the front setback and shall be screened from public view and from adjacent properties with a six (6) foot high fenced enclosure or year-round landscaped screening, subject to zoning inspector approval. [Added effective 7-29-2011]
 - (c) Where permitted by the Commission, entertainment in the form of live music shall be permitted as accessory to a restaurant use provided that all windows and doors shall remain closed while the entertainment is underway, except for the normal passage of people into and out of the premises [Added effective 9-30-2011]
 - (d) All rooftop mechanical equipment, including all heating, ventilation and air conditioning (HVAC) units, shall be setback a minimum of ten (10) feet from the edge of the roof and fully screened with architecturally compatible screening. [Amended effective 9-26-2014]

C. Demolition permit.

- (1) No demolition permit for a building's exterior shall be issued for any building within the Washington Street Design District until the Commission has granted final approval for the reuse of the subject property.

- (2) A structure deemed unsafe according to Section 123.0 of the State of Connecticut Basic Building Code shall be exempt from the requirements of this section.

D. Lot and building requirements. See the Schedule Limiting Height and Bulk of Buildings, Commercial and Industrial, and all other applicable sections of these regulations and in addition:

- (1) The height and bulk of all buildings in existence at the time of adoption of this regulation are hereby declared to be in conformance with the requirements of this section.
- (2) The number of dwelling units permitted shall not exceed a density of one (1) unit per six hundred (600) square feet of gross building floor area devoted to such residential uses.
- (3) All dwelling units shall not contain more than two (2) bedrooms.
- (4) Properties located on the waterfront shall provide public access adjacent to the water which shall be an average of twenty (20) feet in width but in no event less than ten (10) feet in width and from the street to the water in the form of landscaped walks, esplanades, boardwalks or piers and of suitable width to encourage use by the general public.
- (5) External building modifications shall be in keeping with the guidelines set forth in Sections 4 and 5 of the Washington Street Urban Design Study, dated June 1978 and with the Urban Renewal Plan, Washington-South Main Street Improvement Area II, January 21, 1981. The elevations and details of a building's exterior, including signs, shall be referred to the Redevelopment Agency for comment. [Amended effective 3-30-2012]
- (6) Structures of less than the required minimum height shall be permitted provided that they do not exceed five percent (5%) of the maximum allowed building area of the property. [Added effective 11-24-2006]

E. Amenity incentive provisions. [Added effective 11-24-2006, amended effective 2-24-2012]

- (1) Eligibility criteria. A project, shall be eligible to receive a bonus of additional building height, not to exceed one additional story and twenty-two (22) feet in additional height, if space is provided within the project for three (3) of the four (4) public amenities, improvements or facilities set forth herein, subject to approval by the Commission and to the project's compliance with the provisions of this section, including the following criteria: [Amended effective 2-24-2012]
 - (a) The overall design of the project and the specific amenities proposed are appropriate to the site, consistent with the Washington Street Urban Design Study Guidelines and contribute to the improvement of the downtown pedestrian environment.
 - (b) The applicant records a covenant on the land records which ensures the continuous operation and maintenance of each of the following amenities and that such covenant shall run with the land in perpetuity.
 - (c) The project conforms to all other provisions of these regulations.
 - (d) The amenity must be clearly identified as a public benefit.
- (2) Amenity specifications. The following site amenities are hereby deemed to be mutually exclusive and three (3) of the four (4) public amenities shall be required to obtain the amenity bonus provision: [Amended effective 2-24-2012]

- (a) Pedestrian plaza: a continuous open space no more than three (3) feet above or below the center-line elevation of the street and abutting a designated pedestrian right-of-way, which is open to the public at all times, provides a minimum of one (1) linear foot of seating space per seventy-five (75) square feet of plaza and has a minimum area of three thousand (3,000) square feet. At least twenty percent (20%) of the plaza area shall be landscaped with shrubbery and trees, and the remaining area shall be hard-surfaced pavements which conform to the streetscape standard. The applicant shall demonstrate that the plaza has adequate sun exposure.
- (b) Historic Façade Preservation: The substantial rehabilitation, and preservation of a façade of a building listed on the Norwalk Historic Resources Inventory, shall be consistent with the Connecticut Historical Commission - Secretary of the Interior's Standards for Rehabilitation, provided said structure had not previously undergone a rehabilitation for which it received Federal Historic Rehabilitation tax credits.
- (c) Public parking facilities: a minimum of 10 parking spaces provided in excess of those required for the approved project and dedicated for use by the general public for short-term (transient) parking. These spaces shall be located on the level of a parking garage closest to the street and/or primary entrance to the project and should be clearly designated as available for public parking.
- (d) Fountain/water feature: a fountain, cascade, stream or other water display which is located in an unenclosed, publicly accessible space and is maintained in operating condition throughout the year, except when weather conditions prohibit such operation.
- [(e) Deleted effective 2-24-2012]
- (3) Amenity schedule: a proposed site development that complies with the standards set forth above shall be eligible for bonus height not to exceed a maximum of one (1) story and twenty-two (22) feet. The following additional standards shall apply to any structure making use of the amenity bonus:
 - (a) If the bonus story results in a structure greater than fifty (50) feet in height, the bonus story shall be set back a minimum of thirty (30) feet from the street line on Washington Street and shall be set back a minimum of ten (10) feet from the street line on Water Street.
 - (b) All new construction situated directly above the existing historic structure being preserved under the amenity bonus provision shall be set back a minimum of five (5) feet from the plane of the existing historic structure for the entire length of the façade of the existing historic structure.
 - (c) The fourth story of any building located at the intersection of two (2) streets shall be set back not less than eight (8) feet from the street lines of the two intersecting streets for a minimum distance of twenty-five (25) feet along the length of each of the intersecting streets.

F. Off-street parking and loading requirements. See §§ 118-1200 through 118-1260, except that:

- (1) A building in existence at the time of adoption of this regulation may continue to be used without adequate parking and loading as required by §§ 118-1210 and 118-1260 of these regulations. However, should such building be increased in area or changed in use so as to require additional parking or loading, such additional parking or loading shall be determined by applying the standards set forth in §§ 118-1210 and 118-1260; except that a restaurant in existence as of July 1, 2005 and located within six hundred feet of a

municipal parking lot shall not be required to provide additional parking for interior expansions within the existing gross restaurant floor area of one thousand (1,000) square feet or less. This provision shall apply to restaurant uses only and shall not apply to floor space devoted to mixed uses. [Amended eff. 1-27-2006]

- (2) The amount of off-street parking spaces required for two (2) or more different uses on the same premises shall be twenty-five percent (25%) less than the sum of the minimum number of parking spaces required for each use.
- (3) The required amount of parking may be met, in whole or in part, by a public off-street parking facility for a use or structure which is shown as a designated property on a map entitled "Designated Properties for Fees in Lieu of Parking", subject to approval by the Commission and the payment of an in lieu parking fee to the City of Norwalk, in accordance with Section 188-1222, except as noted in Section 118-1220 M. Municipal parking in South Norwalk. [Amended effective 7-28-2000; amended effective April 30, 2010]
- (4) The required amount of loading may be met on street or off street on the same lot where the use occurs or on an adjacent lot, subject to approval by the Commission.
- (5) Properties developed for multifamily residential use may submit a written request to utilize the transit oriented development (TOD) parking requirements shown in Section 118-700 D.(2) to allow one (1) parking space per studio dwelling unit, one (1) parking space per one (1) bedroom dwelling unit and two (2) parking spaces per two (2) bedroom or larger dwelling unit provided that the amount of parking spaces provided shall in no event be less than an average of 1.30 parking spaces per dwelling unit; subject to the submittal of a Parking Management Plan and to Commission review and approval. [Added effective 10-24-2014]

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

§ 118-502. Reed-Putnam Design District. [Added effective 11-16-1984]

A. Purpose and intent. [Amended effective 7-28-1989; 9-25-1998; 10-29-1999; 10-26-2007]

- (1) The purpose of this regulation is to encourage the redevelopment and/or rehabilitation of the district in accordance with the Reed-Putnam Urban Renewal Plan. This plan proposes intensive commercial and residential development because of the area's proximity to the Connecticut Thruway (I-95) and U.S. Route 7, and in a manner consistent with the goals and policies of the Coastal Management Act.
- (2) This district has been divided into five (5) subareas reflecting differences in use, and height and bulk of buildings, depending upon location. Where applicable, these regulations are subject to the provisions of the Reed-Putnam Urban Renewal Plan.

B. General regulations.

- (1) All uses and structures in this district shall comply with the site plan review requirements of Article 140, Section 118-1451, herein or, where required, the Special Permit requirements of Article 140 Section 118-1450, herein.
- (2) Uses which are not permitted in this district shall not be permitted by variance in the Reed-Putnam Design District.
- (3) This district is divided into five (5) subareas. Premises shall be used and buildings shall be erected which are used, designed or intended to be used for one (1) or more of the uses permitted within the particular subareas. [Amended effective 7-28-1989; 9-25-1998]

- (4) The design of buildings, parking structures, landscaping and signing within the Reed-Putnam Design District shall be in keeping with the urban design guidelines set forth in Section 4 of the Urban Renewal Plan for the Reed-Putnam Area, dated approved by the Norwalk Common Council on February 10, 1998, as amended **from time to time thereafter**. The elevations and details of a building's exterior shall be referred to the Redevelopment Agency for comment. Buildings located on top of parking structures in which the lowest floor at or above grade is exclusively used for parking shall not be allowed, except for Subarea C. [Added effective 9-25-1998, amended effective 2-25-2005; 10-26-2007; 3-30-2012; 6-10-2016]
- (5) Helicopter landing sites, as an accessory use to a principal permitted use, subject to special permit review and to the following restrictions: the landing site shall be a minimum of 300 feet from a residence zone, except if residence zone is public highway, and flight operations shall be restricted to the hours of 7:00 am to 7:00 pm only. [Added effective 9-28-2001; amended effective 10-26-2007]

C. Subarea regulations are as follows:

(1) Subarea A.

(a) Principal uses and structures.

- [1] Mixed use developments, including two (2) or more of the following uses: offices, including medical offices, retail stores, business service establishments, restaurants, multifamily residences and hotels, subject to 118-502(C)(1)(d). [Amended effective 10-26-2007, 9-25-2009]
- [2] Transportation terminals designed as an integral part of a structure, containing one (1) or more other permitted uses, and provided that:
 - [a] All vehicles shall be stored and serviced within the structure.
 - [b] Major vehicular maintenance and long-term [more than twenty-four (24) hours] parking or storage for buses, vans, limousines and taxicabs shall be prohibited.
 - [c] Truck terminals shall be prohibited.
- [3] EN36 Parks, playgrounds and open space.
- [4] Child day-care centers. [Added effective 9-28-2007]
- [5] **Brew Pub/Distillery**. [Added effective 11-15-2019]

(b) Special Permit uses and structures

- [1] Mixed use retail shopping center developments as a principal special permit use shall be permitted, subject to special permit approval by the Commission and to the following criteria: [Added effective 6-10-2016]
 - (a) A building or part thereof may be located over a public street and may include one (1) or more adjoining parcels or parcels separated by public street(s) provided:
 - [a] Any necessary easement rights allowing such design have been approved by the Norwalk Common Council; and
 - [b] No area of a public street located beneath a building may be used in calculating maximum permissible floor area; and

[c] All floor area of a building located above such public street shall be allocated to adjoining privately owned parcels and shall be used in determining floor area ratio; and

[d] Building height shall be measured in relation to the centerline of West Avenue.

(b) The uses and design of such development are authorized by the Reed-Putnam Urban Renewal Plan; and

(c) A minimum open space area of fifteen percent (15%) based upon the total acreage within the mixed use retail shopping center development and no requirement that such open space be located on any individual parcel; and

(d) Areas devoted to public improvements (both interior and exterior) including any of the following features: (i) Sculpture gallery; (ii) public plaza; or (iii) publicly accessible rooftop gathering terrace shall be included in the building and site plan, and shall constitute, in the aggregate, not less than five percent (5%) of the floor area of the building; and

(e) Notwithstanding 118-502 C.(1)(c)[7] below, where permitted by the Commission, entertainment in the form of outdoor live music shall be permitted as accessory to a restaurant use when located on the roof of the retail shopping center building or at street level on West Avenue between Pine Street and I-95.

[2] Electric power generator, as defined herein, subject to Section 118-830(B).
[Added effective 1-26-2007]

(c) Accessory uses and structures. Accessory uses and structures which are incidental to and customarily associated with the principal use of the premises shall be permitted, subject to the following restrictions:

- [1] Accessory uses and structures shall be designed as an integral part of a structure containing one (1) or more of the permitted uses.
- [2] Off-street parking structures and surface parking lots.
- [3] EN37 Commercial communication antennas are permitted as an accessory use when located on an existing building or structure, subject to the height limitation of that zone, except that antennas mounted on existing buildings which meet or exceed the height limitation of that zone may extend above the existing building height by no more than fifteen (15) feet. In addition, the color of the building shall be incorporated into the design of the antenna. [Added effective 4-25-1997]
- [4] Outdoor dining, street vendors and kiosks shall be permitted and shall be exempt from parking requirements from April 1st to November 1st, subject to annual renewal of required zoning approval and to permission by required city agencies. [Added effective 10-26-2007]
- [5] Ingress or egress awning or canopy for hospitals, nursing homes, congregate housing, medical offices and similar facilities, subject to Section 118-810(I). [Added effective 9-24-2010]
- [6] Outdoor refuse collection and recycling receptacles shall be located behind the front setback of every public street which is not a limited access highway and

shall be screened from public view and from adjacent properties with a fenced enclosure not less than six (6) feet in height or year-round landscaped screening, subject to zoning inspector approval. [Added effective 7-29-2011; amended effective 6-10-2016]

- [7] Where permitted by the Commission, entertainment in the form of live music shall be permitted as accessory to a restaurant use provided that all windows and doors shall remain closed while the entertainment is underway, except for the normal passage of people into and out of the premises [Added eff. 9-30-2011]
- [8] All rooftop mechanical equipment, including all heating, ventilation and air conditioning (HVAC) units, shall be setback a minimum of ten (10) feet from the edge of the roof and fully screened with architecturally compatible screening. [Amended effective 9-26-2014]
- (d) Lot and building requirements. See the Schedule Limiting Height and Bulk of Buildings, Reed-Putnam Design District and all other applicable sections of these regulations, and in addition:

[1] A design district development park shall be permitted in Subarea A, subject to the following criteria:

(a) Such development park shall be a mixed use development consisting of one (1) or more adjoining parcels in accordance with a development park master plan. Bonus floor area from one parcel or parcels may be transferred to another parcel or parcels within the design district development park, subject to approval by the Commission; and

(b) A maximum floor area ratio of 2.0 based upon the total acreage within the development park, including parcels in Subareas A and B; however, 10% bonus floor area shall be allowed, based on the total area of the development park, provided that in no event may such bonus result in the total allowable floor area within the development park exceeding 1,144,454 square feet, and provided that public amenities are provided as follows:

i. Pedestrian plaza: open space comprising a minimum, aggregate of 10,000 square feet in one or more areas within the development park, each of which areas (A) must contain at least 2,000 square feet of open space; (b) must be no more than three (3) feet above or below the center-line elevation of the adjacent public street or private right-of-way; (c) must abut a designated pedestrian right-of-way; and (d) must be open to the public at all times.

ii. Fountain/water feature: a fountain, cascade, stream or other water display which is located in an unenclosed, publicly accessible space within the development park and is maintained in operating condition throughout the year, except when weather conditions prohibit such operation.

- iii. Green roofs: at least twenty percent (20%) of the roof areas within the development park (excluding roof areas permanently devoted to mechanical equipment used in the operation and maintenance of the buildings or permanently devoted to parking) are landscaped by vegetation or other means to manage stormwater.
 - (c) The maximum floor area ratio for retail uses in a development park shall not exceed .25 based upon the total acreage in the development park, provided that the aggregate area devoted to retail and business service uses within the development park shall not exceed 125,000 square feet.
 - (d) A minimum open space area of 25% based upon the total acreage within the development park; with no open space requirements for individual parcels within a development park. Open space shall include natural and landscaped areas, pedestrian plazas, courtyards, walkways, recreation areas and the like.
 - (e) Multifamily dwellings shall require 1,650 square feet of lot area per dwelling unit based upon the total acreage within the development park, including parcels in Subareas A and B, limited to a maximum of 250 units in the development park. A defined recreation area of one hundred fifty (150) square feet per dwelling unit shall be provided. Such recreation area may include balconies, courtyards, indoor recreational facilities, landscaped roofs and outdoor recreation areas. [Added effective 10-26-2007]
- (e) Off-street parking and loading requirements. See §§ 118-1200 through 118-1260 and the supplemental standards provided below:
- [1] Properties developed for multifamily residential use may submit a written request to utilize the transit oriented development (TOD) parking requirements shown in Section 118-700 D.(2) to allow one (1) parking space per studio dwelling unit, one (1) parking space per one (1) bedroom dwelling unit and two (2) parking spaces per two (2) bedroom or larger dwelling unit provided that the amount of parking spaces provided shall in no event be less than an average of 1.30 parking spaces per dwelling unit; subject to the submittal of a Parking Management Plan and to Commission review and approval. [Added effective 10-24-2014]
 - [2] Notwithstanding any provision in Article 120 to the contrary, the minimum number of off street parking stalls required, parking stall dimensions and drive aisle dimensions within a parking garage in a mixed use retail shopping center development containing more than two thousand (2,000) parking stalls may be altered to comply with the following supplemental standards: [Added effective 6-10-2016]
 - (a) The minimum dimension for a full-size vehicle parking stall at a 90° angle shall be nine (9) feet in width and eighteen (18) feet in length, if served by a two way drive aisle a minimum of twenty-four (24) feet in width; and
 - (b) The minimum dimension for a compact vehicle parking stall at a 90° angle shall be eight (8) feet in width and fifteen (15) feet in length, if served by a two way drive aisle a minimum of twenty-two (22) feet in width; and

- (c) The minimum dimension for a full size vehicle parking stall at a 75° angle shall be nine (9) feet in width and eighteen (18) feet in length, if served by a one way drive aisle a minimum of eighteen (18) feet in width.
 - (d) The minimum dimension for a compact vehicle parking stall at a 75° angle shall be eight (8) feet in width and fifteen (15) feet in length, if served by a one way drive aisle a minimum of eighteen (18) feet in width.
 - (e) Compact vehicle parking stalls need not be grouped provided they are shown on a site plan approved by the Commission; and
 - (f) Within the required minimum dimension of a parking stall or drive aisle columns shall be allowed provided any such column is shown on a site plan approved by the Commission after a determination by the Commission that such column does not materially compromise the use of the stall or aisle and does not adversely affect the public safety in general; and
 - (g) The Commission may reduce up to thirty percent (30%) of the parking required under these regulations where it is demonstrated to the satisfaction of the Commission that the nature of the Development or its use and the factors which determine parking demand result in fewer parking spaces to meet actual parking needs than required by these regulations.
 - (h) Off street parking shall be located on the parcel or parcels of land forming the mixed use retail shopping center development but shall not be required to be located on any individual parcel within such development.
- (f) Sign regulations. See §§ 118-1290 through 118-1295. [Amended eff. 9-13-1985]

(2) Subarea B.

(a) Principal uses and structures. [Amended effective 9-25-1998]

- [1] Mixed use developments, including two (2) or more of the following uses: offices, including medical offices, retail stores, business service establishments, restaurants, multifamily residences and hotels, subject to 118-502(C)(2)(d). [Added effective 10-26-2007, 9-25-2009]
- [2] Transportation terminals designed as an integral part of a structure, containing one (1) or more other permitted uses, provided that:
 - [a] All vehicles shall be stored and serviced within the structures.
 - [b] Major vehicular maintenance and long-term [more than twenty-four (24) hours] parking or storage for buses, vans, limousines and taxicabs shall be prohibited.
 - [c] Truck terminals shall be prohibited.
- [3] Parks, playgrounds and open space. [Added eff. 10-26-2007]
- [4] Child day-care centers. [Added effective 9-28-2007]
- [5] **Brew Pub/Distillery**. [Added effective 11-15-2019]

(b) Special Permit uses and structures

- [1] Electric power generator, as defined herein, subject to Section 118-830(B). [Added effective 1-26-2007]

- (c) Accessory uses and structures. Accessory uses and structures, which are incidental to and customarily associated with the principal use of the premises, shall be permitted, subject to the following restrictions:
- [1] Off-street parking structures and surface parking lots.
 - [2] Commercial communication antennas are permitted as an accessory use when located on an existing building or structure, subject to the height limitation of that zone, except that antennas mounted on existing buildings which meet or exceed the height limitation of that zone may extend above the existing building height by no more than fifteen (15) feet. In addition, the color of the building shall be incorporated into the design of the antenna. [Added effective 4-25-1997]
 - [3] Outdoor dining, street vendors and kiosks shall be permitted and shall be exempt from parking requirements from April 1st to November 1st, subject to annual renewal of required zoning approval and to permission by required city agencies. [Added effective 10-26-2007]
 - [4] Ingress or egress awning or canopy for hospitals, nursing homes, congregate housing, medical offices and similar facilities, subject to Section 118-810(I). [Added effective 9-24-2010]
 - [5] Outdoor refuse collection and recycling receptacles shall be located behind the front setback and shall be screened from public view and from adjacent properties with a six (6) foot high fenced enclosure or year-round landscaped screening, subject to zoning inspector approval. [Added effective 7-29-2011]
 - [6] Where permitted by the Commission, entertainment in the form of live music shall be permitted as accessory to a restaurant use provided that all windows and doors shall remain closed while the entertainment is underway, except for the normal passage of people into and out of the premises [Added eff. 9-30-2011]
 - [7] All rooftop mechanical equipment, including all heating, ventilation and air conditioning (HVAC) units, shall be setback a minimum of ten (10) feet from the edge of the roof and fully screened with architecturally compatible screening. [Amended effective 9-26-2014]
- (d) Lot and building requirements. See the Schedule Limiting Height and Bulk of Buildings, Reed-Putnam Design District and all other applicable sections of these regulations, and in addition:
- [1] A design district development park shall be permitted in Subarea B, subject to the following criteria:
 - (a) Such development park shall be a mixed use development consisting of one (1) or more adjoining parcels in accordance with a development park master plan. Bonus floor area from one parcel or parcels may be transferred to another parcel or parcels within the design district development park, subject to approval by the Commission; and
 - (b) A maximum floor area ratio of 2.0 based upon the total acreage within the development park, including parcels in

Subareas A and B; however, 10% bonus floor area shall be allowed, based on the total area of the development park, provided that in no event may such bonus result in the total allowable floor area within the development park exceeding 1,144,454 square feet, and provided that public amenities are provided as follows:

- i. Pedestrian plaza: open space comprising a minimum, aggregate of 10,000 square feet in one or more areas within the development park, each of which areas (A) must contain at least 2,000 square feet of open space; (b) must be no more than three (3) feet above or below the center-line elevation of the adjacent public street or private right-of-way; (c) must abut a designated pedestrian right-of-way; and (d) must be open to the public at all times.
 - ii. Fountain/water feature: a fountain, cascade, stream or other water display which is located in an unenclosed, publicly accessible space within the development park and is maintained in operating condition throughout the year, except when weather conditions prohibit such operation.
 - iii. Green roofs: at least twenty percent (20%) of the roof areas within the development park (excluding roof areas permanently devoted to mechanical equipment used in the operation and maintenance of the buildings or permanently devoted to parking) are landscaped by vegetation or other means to manage stormwater.
- (c) The maximum floor area ratio for retail uses in a development park shall not exceed .25 based upon the total acreage in the development park, provided that the aggregate area devoted to retail and business service uses within the development park shall not exceed 125,000 square feet.
 - (d) A minimum open space area of 25% based upon the total acreage within the development park; with no open space requirements for individual parcels within a development park. Open space shall include natural and landscaped areas, pedestrian plazas, courtyards, walkways, recreation areas and the like.
 - (e) Multifamily dwellings shall require 1,650 square feet of lot area per dwelling unit based upon the total acreage within the development park, including parcels in Subareas A and B, limited to a maximum of 250 units in the development park. A defined recreation area of one hundred fifty (150) square feet per dwelling unit shall be provided. Such recreation area may include balconies, courtyards, indoor recreational facilities, landscaped roofs and outdoor recreation areas.
[Added effective 10-26-2007]

- (e) Off-street parking and loading requirements. See §§ 118-1200 through 118-1260, except that:
- (1) EN39 Off-street parking may be met by the use of parking facilities located within six hundred (600) feet, as measured along the shortest publicly accessible route, subject to approval by the Zoning Inspector.
 - (2) Properties developed for multifamily residential use may submit a written request to utilize the transit oriented development (TOD) parking requirements shown in Section 118-700 D.(2) to allow one (1) parking space per studio dwelling unit, one (1) parking space per one (1) bedroom dwelling unit and two (2) parking spaces per two (2) bedroom or larger dwelling unit provided that the amount of parking spaces provided shall in no event be less than an average of 1.30 parking spaces per dwelling unit; subject to the submittal of a Parking Management Plan and to Commission review and approval. [Added effective 10-24-2014]
- (f) Sign regulations. See §§ 118-1290 through 118-1295. [Amended eff. 9-13-1985]
- (3) Subarea C.
- (a) Principal uses and structures.
 - [1] Multifamily dwellings. [Amended effective 9-25-1998]
 - [2] Hotels.
 - [3] Parks, playgrounds and open space.
 - [4] Retail stores, restaurants and offices, including medical offices. [Amended effective 2-25-2005, 9-25-2009]
 - [5] Child day-care centers. [Added effective 9-28-2007]
 - [6] **Brew Pub/Distillery**. [Added effective 11-15-2019]
 - (b) Special Permit uses and structures. The following uses and structures, and no others, shall be permitted by Special Permit, in accordance with the provisions of Article 140, § 118-1450, Special Permits, and subject to the additional standards set forth herein:
 - [1] Boutique manufacturing shall be allowed as an accessory use to a permitted retail use, subject to compliance with the following requirements: [Added effective 10-28-2005]
 - (a) Such boutique manufacturing shall not exceed three thousand (3,000) square feet in area and shall be directly related to the principal permitted retail use; and
 - (b) All manufacturing activity, including the storage of all equipment, materials and products, shall occur inside the building; no outside storage of any kind is permitted; and
 - (c) Only manufacturing processes that are not offensive with regard to noise, light, dust and odors, and which have the same or lesser impact than the principal retail use are permitted; and
 - (d) The manufacturing activity shall occupy an area of no more than sixty percent (60%) of the gross floor area occupied by the associated retail establishment; and
 - (e) The manufacturing process is principally artisan or fabrication by hand, and shall not include mass production or assembly line operations; and

- (f) The manufacturing operations will not generate excessive traffic volumes or truck traffic in excess of that typically occurring in the adjacent district or neighborhood; all loading activity shall occur during daytime hours only.

- [2] Electric power generator, as defined herein, subject to Section 118-830(B). [Added effective 1-26-2007]

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

- [1] Marinas and marina-related facilities.

- [2] Off-street parking structures and surface parking lots.

- [3] Commercial communication antennas are permitted as an accessory use when located on an existing building or structure, subject to the height limitation of that zone, except that antennas mounted on existing buildings which meet or exceed the height limitation of that zone may extend above the existing building height by no more than fifteen (15) feet. In addition, the color of the building shall be incorporated into the design of the antenna. [Added effective 4-25-1997]

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

- [5] Outdoor refuse collection and recycling receptacles shall be located behind the front setback and shall be screened from public view and from adjacent properties with a six (6) foot high fenced enclosure or year-round landscaped screening, subject to zoning inspector approval. [Added effective 7-29-2011]

- [6] Where permitted by the Commission, entertainment in the form of live music shall be permitted as accessory to a restaurant use provided that all windows and doors shall remain closed while the entertainment is underway, except for the normal passage of people into and out of the premises [Added eff. 9-30-2011]

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

- (d) Lot and building requirements. See the Schedule Limiting Height and Bulk of Buildings, Reed-Putnam Design District, and all other applicable sections of these regulations.

- (e) Off-street parking and loading requirements. See § 118-502C(2)(d) and in addition: [Amended effective 9-25-1998]

- [1] The amount of off-street parking spaces required for two (2) or more different uses on the same premises shall be thirty percent (30%) less than the sum of the minimum number of parking spaces required for each use. [Amended effective 2-25-2005]

[2] A restaurant in existence as of July 1, 2005 and located within six hundred feet of a municipal parking lot shall not be required to provide additional parking for interior expansions within the existing gross restaurant floor area of one thousand (1,000) square feet or less. This provision shall apply to restaurant uses only and shall not apply to floor space devoted to mixed uses. [Added effective 1-27-2006]

[3] Properties developed for multifamily residential use may submit a written request to utilize the transit oriented development (TOD) parking requirements shown in Section 118-700 D.(2) to allow one (1) parking space per studio dwelling unit, one (1) parking space per one (1) bedroom dwelling unit and two (2) parking spaces per two (2) bedroom or larger dwelling unit provided that the amount of parking spaces provided shall in no event be less than an average of 1.30 parking spaces per dwelling unit; subject to the submittal of a Parking Management Plan and to Commission review and approval. [Added effective 10-24-2014]

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

(4) Subarea D.

(a) Principal uses and structures.

[1] Multifamily dwellings, including artists' studios. [Amended effective 9-25-1998]

[2] Museums, maritime centers and exhibition facilities.

[3] Retail stores, restaurants and offices, including medical offices. [Added effective 3-30-1990, EN40; amended effective 9-25-2009]

[4] Parking structures.

[5] Child day-care centers. [Added effective 9-28-2007]

[6] **Brew Pub/Distillery.** [Added effective 11-15-2019]

(b) Accessory uses and structures. Accessory uses and structures which are incidental to and customarily associated with the principal use of the premises shall be permitted, subject to the following restrictions:

[1] Off-street parking garages and surface parking lots.

[2] Marinas and marina-related facilities.

[3] Parks, playgrounds and open space.

[4] Theaters. [Amended effective 9-25-1998]

[5] Commercial communication antennas are permitted as an accessory use when located on an existing building or structure, subject to the height limitation of that zone, except that antennas mounted on existing buildings which meet or exceed the height limitation of that zone may extend above the existing building height by no more than fifteen (15) feet. In addition, the color of the building shall be incorporated into the design of the antenna. [Added effective 4-25-1997]

- [6] Ingress or egress awning or canopy for hospitals, nursing homes, congregate housing, medical offices and similar facilities, subject to Section 118-810(I). [Added effective 9-24-2010]
 - [7] Outdoor refuse collection and recycling receptacles shall be located behind the front setback and shall be screened from public view and from adjacent properties with a six (6) foot high fenced enclosure or year-round landscaped screening, subject to zoning inspector approval. [Added effective 7-29-2011]
 - [8] Where permitted by the Commission, entertainment in the form of live music shall be permitted as accessory to a restaurant use provided that all windows and doors shall remain closed while the entertainment is underway, except for the normal passage of people into and out of the premises [Added eff. 9-30-2011]
 - [9] All rooftop mechanical equipment, including all heating, ventilation and air conditioning (HVAC) units, shall be setback a minimum of ten (10) feet from the edge of the roof and fully screened with architecturally compatible screening. [Amended effective 9-26-2014]
- (c) [Amended effective 3-30-1990] Lot and building requirements. See the Schedule Limiting Height and Bulk of Buildings, Reed-Putnam Design District, and all other applicable sections of these regulations, except that:
- [1] Cupolas, towers and spires, where not used for habitable space and where not exceeding one percent (1%) of the total allowable building area, shall be exempt from the height regulations herein.
- (d) Off-street parking and loading requirements. See § 118-502C(2)(d), except that:
- [1] No on-site parking shall be required for a museum, maritime center or exhibition facilities.
 - [2] The amount of off-street parking spaces required for two (2) or more different uses on the same premises shall be twenty-five percent (25%) less than the sum of the minimum number of parking spaces required for each use. EN41 [Added effective 3-30-1990]
 - [3] A restaurant in existence as of July 1, 2005 and located within six hundred feet of a municipal parking lot shall not be required to provide additional parking for interior expansions within the existing gross restaurant floor area of one thousand (1,000) square feet or less. This provision shall apply to restaurant uses only and shall not apply to floor space devoted to mixed uses. [Added effective 1-27-2006]
 - [4] Properties developed for multifamily residential use may submit a written request to utilize the transit oriented development (TOD) parking requirements shown in Section 118-700 D.(2) to allow one (1) parking space per studio dwelling unit, one (1) parking space per one (1) bedroom dwelling unit and two (2) parking spaces per two (2) bedroom or larger dwelling unit provided that the amount of parking spaces provided shall in no event be less than an average of 1.30 parking spaces per dwelling unit; subject to the submittal of a Parking Management Plan and to Commission review and approval. [Added effective 10-24-2014]
- (e) Sign regulations. See §§ 118-1290 through 118-1295. [Amended eff. 9-13-1985]

(5) Subarea E.

(a) Principal uses and structures.

- [1] Multifamily dwellings. [Amended effective 9-25-1998]
- [2] Elderly housing.
- [3] Retail stores and personal and business service shops.
- [4] Offices, including medical offices. [Amended eff. 9-25-2009]
- [5] Banks and financial institutions, excluding drive-in facilities.
- [6] Restaurants and taverns, excluding drive-in facilities.
- [7] Theaters and auditoriums.
- [8] Business schools and studios.
- [9] Places of worship, churches and church buildings.
- [10] Parks, playgrounds and open space.
- [11] Museums and related accessory uses. [Added effective 9-25-1998]
- [12] Child day-care centers. [Added effective 9-28-2007]
- [13] **Brew Pub/Distillery.** [Added effective 11-15-2019]

(b) Special Permit uses and structures. The following uses and structures, and no others, shall be permitted by Special Permit, in accordance with the provisions of Article 140, § 118-1450, Special Permits, and subject to the additional standards set forth herein:

- [1] The expansion of an existing manufacturing use.
- [2] Public utility supply or storage facility. EN
- [3] Boutique manufacturing shall be allowed as an accessory use to a permitted retail use, subject to compliance with the following requirements: [Added effective 10-28-2005]
 - (a) Such boutique manufacturing shall not exceed three thousand (3,000) square feet in area and shall be directly related to the principal permitted retail use; and
 - (b) All manufacturing activity, including the storage of all equipment, materials and products, shall occur inside the building; no outside storage of any kind is permitted; and
 - (c) Only manufacturing processes that are not offensive with regard to noise, light, dust and odors, and which have the same or lesser impact than the principal retail use are permitted; and
 - (d) The manufacturing activity shall occupy an area of no more than sixty percent (60%) of the gross floor area occupied by the associated retail establishment; and
 - (e) The manufacturing process is principally artisan or fabrication by hand, and shall not include mass production or assembly line operations; and
 - (f) The manufacturing operations will not generate excessive traffic volumes or truck traffic in excess of that typically occurring in the adjacent

district or neighborhood; all loading activity shall occur during daytime hours only.

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

- [1] Off-street parking structures and surface parking lots.
- [2] Commercial communication antennas are permitted as an accessory use when located on an existing building or structure, subject to the height limitation of that zone, except that antennas mounted on existing buildings which meet or exceed the height limitation of that zone, may extend above the existing building height by no more than fifteen (15) feet. In addition, the color of the building shall be incorporated into the design of the antenna. [Added effective 4-25-1997]
- [3] Ingress or egress awning or canopy for hospitals, nursing homes, congregate housing, medical offices and similar facilities, subject to Section 118-810(I). [Added effective 9-24-2010]
- [4] Outdoor refuse collection and recycling receptacles shall be located behind the front setback and shall be screened from public view and from adjacent properties with a six (6) foot high fenced enclosure or year-round landscaped screening, subject to zoning inspector approval. [Added effective 7-29-2011]
- [5] Where permitted by the Commission, entertainment in the form of live music shall be permitted as accessory to a restaurant use provided that all windows and doors shall remain closed while the entertainment is underway, except for the normal passage of people into and out of the premises [Added eff. 9-30-2011]
- [6] All rooftop mechanical equipment, including all heating, ventilation and air conditioning (HVAC) units, shall be setback a minimum of ten (10) feet from the edge of the roof and fully screened with architecturally compatible screening. [Amended effective 9-26-2014]

- (d) Lot and building requirements. See the Schedule Limiting Height and Bulk of Buildings, Reed-Putnam Design District, and all other applicable sections of these regulations, except that:

- [1] Buildings in existence as of the effective date of this regulation are hereby declared to be in conformance with the requirements of this section.0
- [2] No setbacks shall be required where the abutting property is within a limited access highway or railroad right-of-way.[Added effective 8-30-2002]

- (e) Off-street parking and loading requirements. See §§ 118-1200 through 118-1260, except that:

- [1] No off-street parking shall be required for museums under fourteen thousand (14,000) square feet, located in the Reed-Putnam Design District, Subarea E. [Amended effective 9-25-1998]
- [2] A restaurant in existence as of July 1, 2005 and located within six hundred feet of a municipal parking lot shall not be required to provide additional parking for interior expansions within the existing gross restaurant floor area

of one thousand (1,000) square feet or less. This provision shall apply to restaurant uses only and shall not apply to floor space devoted to mixed uses. [Added effective 1-27-2006]

[3] Properties developed for multifamily residential use may submit a written request to utilize the transit oriented development (TOD) parking requirements shown in Section 118-700 D.(2) to allow one (1) parking space per studio dwelling unit, one (1) parking space per one (1) bedroom dwelling unit and two (2) parking spaces per two (2) bedroom or larger dwelling unit provided that the amount of parking spaces provided shall in no event be less than an average of 1.30 parking spaces per dwelling unit; subject to the submittal of a Parking Management Plan and to Commission review and approval. [Added effective 10-24-2014]

(f) Sign regulations. See §§ 118-1290 through 118-1295. EN42 [Added effective 9-13-1985]

D. (Reserved) EN43

§ 118-503. Executive Office Zone. [Added eff 1-16-1987; amended eff. 5-26-2006; 6-28-2019]

A. Purpose and intent. The purpose of this regulation is to permit major office buildings and other compatible uses which will contribute to the economic base of the city and will constitute a harmonious and appropriate part of the physical development of the city. The area within this zone is intended to have infrastructure of sufficient capacity either prior to or coincident with permitted development. Incentives are provided to encourage the assembly of larger lots and to reduce the number of driveways, thereby improving traffic flow and safety and creating an attractive and unified development.

B. Uses and structures.

(1) Principal uses and structures. In the Executive Office Zone, premises shall be used and buildings shall be erected which are used, designed or intended to be used for one (1) or more of the following uses and no other. Any use or structure having a gross floor area of twenty thousand (20,000) square feet or more or requiring fifty (50) parking spaces or more shall be permitted subject to the provisions of § 118-1451, Site plan review.

(a) Offices, including medical offices. [Amended effective 9-25-2009]

(b) Banks and financial institutions.

(c) Hotels.

(d) Personal and business services shops and retail stores having a gross floor area of thirty thousand (30,000) square feet or less. [Amended effective 12-22-1995]

(e) Restaurants and taverns.

(f) Theaters and auditoriums.

(g) Schools, including business schools, and studios.

(h) Mixed-use development, subject to § 118-750.

(i) Research and development facilities.

(j) Manufacture, processing or assembly of goods which are not noxious or offensive due to emission of noise, pollutants or waste.

(k) Parks and recreational facilities.

- (l) Museums.
- (m) Public utility supply or storage facilities.
- (n) Firehouses.
- (o) Off-street parking facilities.
- (p) Places of worship. [Added effective 7-24-2015]

(2) Special Permit uses and structures. The following uses shall be permitted by Special Permit in accordance with the provisions of Article 140, § 118-1450, Special Permits, and shall comply with the Schedule Limiting Height and Bulk of Buildings, Commercial and Industrial: except as otherwise specified herein: [Amended effective 5-26-2006]

- (a) Warehouse and wholesale distribution facilities.
- (b) Gasoline stations and the sale and service of motor vehicles, subject to § 118-1010.
- (c) Transportation terminals.
- (d) Multifamily dwellings.
- (e) Commercial recreation establishment. [Added effective 12-7-1990]
- (f) Retail stores having a gross floor area of more than thirty thousand (30,000) square feet, not to exceed eighty thousand (80,000) square feet. [Added effective 12-22-1995]
- (g) Commercial planned residential development, subject to Section 118-760. [Added effective 4-21-00]
- (h) Helicopter landing sites, as an accessory use to a principal permitted use, subject to special permit review and to the following restrictions: the landing site shall be a minimum of 300 feet from a residence zone and flight operations shall be restricted to the hours of 7:00 am to 7:00 pm only. The Commission may approve a helicopter landing site that exceeds the height provisions of these regulations if it is located on top of a mechanical or habitable penthouse. [Added effective 9-29-2001; Amended effective 5-26-2006]
- (i) Electric power generator, as defined herein, subject to Section 118-830(B). [Added effective 1-26-2007]

(3) Uses which are not otherwise permitted in Subsection B(1) and (2) above shall not be permitted by variance in the Executive Office Zone.

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

- (a) Outdoor storage shall be confined to the rear and side yards only and shall be effectively screened from adjacent properties.
- (b) Commercial communication antennas are permitted as an accessory use when located on an existing building or structure, subject to the height limitation of that zone, except that antennas mounted on existing buildings which meet or exceed the height limitation of that zone, may extend above the existing building height by no more than 15 feet. In addition, the color of the building shall be incorporated into the design of the antenna. [Added effective 12-20-1996]

- (c) Ingress or egress awning or canopy for hospitals, nursing homes, congregate housing, medical offices and similar facilities, subject to Section 118-810(I). [Added effective 9-24-2010]
 - (d) Outdoor refuse collection and recycling receptacles shall be located behind the front setback and shall be screened from public view and from adjacent properties with a six (6) foot high fenced enclosure or year-round landscaped screening, subject to zoning inspector approval. [Added effective 7-29-2011]
 - (e) Where permitted by the Commission, entertainment in the form of live music shall be permitted as accessory to a restaurant use provided that all windows and doors shall remain closed while the entertainment is underway, except for the normal passage of people into and out of the premises [Added eff. 9-30-2011]
 - (f) All rooftop mechanical equipment, including all heating, ventilation and air conditioning (HVAC) units, shall be setback a minimum of ten (10) feet from the edge of the roof and fully screened with architecturally compatible screening. [Amended effective 9-26-2014]
- C. Lot and building requirements. See the Schedule Limiting Height and Bulk of Buildings, Commercial and Industrial, and all other applicable sections of these regulations, and in addition:
- (1) A development park shall be permitted (i) a maximum floor area ratio of one and five-tenths (1.5) based upon the total acreage within the development park; however, an individual parcel within a development park shall not exceed a floor area ratio of two (2); (ii) a minimum open space area of thirty percent (30%) based upon the total acreage within the development park; however an individual parcel within a development park shall provide open space of not less than twenty-five percent (25%) of its area.[Amended eff. 10-27-2000]
 - (2) Multifamily dwellings shall require one thousand six hundred fifty (1,650) square feet of lot area per dwelling unit. [Amended effective 12-30-1988]
 - (3) A minimum building height shall apply only to uses enumerated in subsection B(1) a. – h. and B(2) d. - g.; except that ancillary portions of buildings less than the required height shall be permitted, provided that such portions do not exceed five percent (5%) of the gross floor area. [Added effective 3-27-2009] EN44
 - (4) Open space shall include natural and landscaped areas, pedestrian plazas, courtyards, walkways, recreation areas and the like. Open space on the roof of a structure shall be permitted, provided that the minimum open space requirement extends neither more than ten (10) feet nor more than and one (1) story above the center-line elevation of the street.
 - (5) Any building that is non-conforming as to FAR and located within the Executive Office zone or any building located within a development park within the Executive Office zone that is nonconforming as to total FAR within such development park, may expand usable Floor Area subject to administrative approval by the director of the Planning & Zoning Department, provided that: [Added effective 6-28-2019]
 - i. Any increase in total Floor Area shall not result in an increase in new or additional building coverage or height; and
 - ii. Any additional Floor Area shall be devoted to service or common areas, lobbies or tenant amenity areas to be utilized by tenants of the building; and

- iii. Said additional Floor Area shall be in furtherance of adaptive reuse or alteration of the building for modernization, security, aesthetic, public health and safety, health code compliance or sustainability purposes.

Expansion beyond the building envelope of the existing building shall be limited to canopies and architectural features which enhance the aesthetic appearance of the building and said improvements shall not be considered additional building coverage provided same do not exceed five percent (5%) building coverage.

Further, any portion of a lot located within the Executive Office Zone that is conveyed, to be conveyed or utilized by the State of Connecticut or the City of Norwalk for public purposes, including but not limited to, public right-of-way, public transportation, or public recreational purposes, shall be included in all applicable lot area calculations (i.e. lot area, density, building coverage, FAR, etc.), and any buildings and structures utilized in accordance with any of the aforementioned public purposes shall be excluded from building coverage, Floor Area and FAR calculations.

- D. Off-street parking and loading requirements. See §§ 118-1200 through 118-1260 and, in addition:

- (1) The principal use and structure of the property shall be located between the front yard and the street wall of a parking structure which is more than three (3) feet above the center-line elevation of the street, for a minimum of fifty percent (50%) of the length of the parking structure. This provision shall not be applicable to parking structures within a development park which parking structures are located more than one hundred ten (110) feet from the center-line of the street (subject to § 118-1000B) and separated from the street by a wetland or watercourse. Any portion of a parking structure which is more than three (3) feet above the center-line elevation of the street and which extends to the front yard shall be effectively screened. [Amended effective 5-27-1994; 11-24-1995; effective 12-20-1996]

- E. Sign regulations. See §§ 118-1290 through 118-1295.

- F. The Executive Office Zone shall not apply to buildings for which a zoning permit has been issued or Commission approval granted prior to January 1, 1987. Such buildings may be completed in accordance with plans filed with the Zoning Inspector or Commission prior to such date.

§ 118-504. Central Business District. [Added effective 10-1-1987, amended effective 4-28-2006, 5-25-2007; 10-26-2007; 8-29-2008; 9-24-2010; 9-30-2011; 3-30-2012; 9-26-2014; 6-26-2015; 1-29-2016; 2-26-2016; 10-28-2016; 6-14-2019]

- A. Purpose and intent. The Central Business District contains two (2) zoning sub-districts, Central Business District (CBD) and Central Business District Water (CBD-W).

The CBD contains the West Avenue corridor, the Wall Street area which is considered the historic downtown for the City and a portion of U.S. 1 and Main Street. CBD zoning seeks to:

- (1) Provide a balance of uses and amenities that foster a vital economic, livable, innovative and cultural area and enhance its urban, aesthetic qualities.
- (2) Establish an urban fabric that is walkable, engaging and complimented by sustainable design, including landscaping, building construction and infrastructure.
- (3) Protect and enhance historic, cultural, economic and architectural resources.
- (4) Preserve, create and enhance pedestrian-oriented streets to reduce the number of automobile trips; minimize congestion, consumption of resources and air and noise pollution.

- (5) Encourage clean industrial uses, retail, entertainment, residential and office vitality and improve the quality of life for district residents, visitors and workers.
- (6) Provide quality public spaces, such as urban street corridors, by maintaining the physical continuity of the street edge created by buildings.
- (7) Bring most daily activities within walking distance, giving the elderly, young and disabled increased independence of movement.
- (8) Require public access to and along the waterfront when possible, except where a danger to the public exists due to water-dependent uses.
- (9) Incentivize adaptive reuse of the historic properties within the zone.
- (10) Maintain water dependent uses for properties abutting the Norwalk River.

The CBD-W is comprised mainly of waterfront uses along the west side of the Norwalk River.

CBD-W zoning seeks to:

- (1) Maintain Norwalk River and upper harbor as a focal point.
- (2) Maintain water dependent uses for properties abutting the Norwalk River.
- (3) Require public access to and along the waterfront when possible, except where a danger to the public exists due to water-dependent uses.
- (4) Promote other uses which attract the public to the waterfront, such as restaurants, transient slip space and residential development.
- (5) Prioritize and give preference to the siting of water-dependent uses which are compatible with the revitalization of the downtown area, such as recreational and commercial boating and fishing facilities and transient slip space.

B. Principal uses and structures:

- (1) In the Central Business District, premises shall be used and buildings shall be erected which are used, designed or intended to be used for one (1) or more of the following uses and no other. All uses and structures shall be permitted subject to the provisions of § 118-1451, Site plan review. Properties located within the coastal zone boundary shall be subject to coastal site plan review and all other requirements of § 118-1110.
 - (a) Adult Day Care Facilities.
 - (b) Animal Care Center.
 - (c) Artist workspace.
 - (d) Banks and financial institutions (excluding drive-in facilities).
 - (e) Boutique Manufacturing with or without an accessory retail use or light manufacturing, provided that:
 - (i) the total square footage does not exceed 15,000 SF.
 - (ii) all manufacturing activity, including the storage of all equipment, materials and products, shall occur inside the building and no outside storage of any kind is permitted.
 - (iii) only manufacturing processes that comply with City standards relating to noise, light, dust and odors are permitted.
 - (iv) the manufacturing operations will not generate excessive traffic volumes or truck traffic in excess of that typically occurring in the adjacent district or neighborhood; all loading activity shall occur during daytime hours only.

- (f) Brew Pub/**Distillery**. [Amended effective 11-15-2019]
 - (g) Child day-care centers.
 - (h) Clubs & Lodges.
 - (i) Colleges, universities and schools, including business and trade schools, and studios.
 - (j) Commercial recreation establishments.
 - (k) Community centers, lodges and private clubs.
 - (l) Congregate Housing.
 - (m) Government Agencies and charitable organizations.
 - (n) Halfway houses, with no less than two hundred (200) square feet of living area per person. [Amended effective 6-29-1990]
 - (o) Health clubs.
 - (p) Hotels, including extended stay hotels.
 - (q) Mass Transit facilities.
 - (r) Motor Vehicles Sales and service, provided that:
 - i. Such use shall be designed as an integral part of a structure containing one (1) or more other permitted uses.
 - ii. All vehicles shall be serviced within the structure and displayed, stored and parked within or behind the structure
 - (s) Multifamily dwellings, provided that:
 - i. provisions for bicycle storage or bicycle sharing are provided on-site.
 - ii. provisions for electric vehicle charging stations are provided on-site.
 - iii. such dwellings are subject to the Workforce Housing Regulation in Article 101, Section 118-1050.
 - (t) Museums, libraries and meeting halls.
 - (u) Offices, including medical offices.
 - (v) Parks, playgrounds and open space.
 - (w) Personnel and business Service Establishment.
 - (x) Places of worship.
 - (y) Printing establishments.
 - (z) Manufacturing and storage facilities dependent on waterborne transportation for the supply of products.
 - (aa) Public recreation facilities.
 - (bb) Research and development facilities.
 - (cc) Retail stores and personal and business service establishments.
 - (dd) Restaurants and taverns (excluding drive-in facilities).
 - (ee) Theaters and auditoriums, including cultural arts and entertainment facilities.
- (2) Special Permit uses and structures:

- (a) In order to encourage the preservation of structures contributing to positive aspects of community character, the Commission may, by Special Permit, allow a minimum area or dimensional requirement, (such as yard setback or parking requirement) or a maximum requirement, (such as maximum floor area) to be exceeded, provided:
- i. The subject structure(s) are listed on a local, state or national historic inventory;
 - ii. The extent of the requirement to be exceeded or reduced shall not exceed twenty five (25) percent and is clearly identified on the application presented to the Commission;
 - iii. A narrative, prepared by a Historic Architect, shall be submitted with the application describing in detail the proposed work to be done to the exterior of the historic structure. The Historic Architect shall be qualified for "Historic Architecture" as listed under 35 CFR Part 61 of the Secretary of Interior's Professional Qualification Standards and submit proof of same;
 - iv. The Commission shall refer the application to the Historical Commission for review and recommendations, who may refer the application to the State Historic Preservation Office (SHPO) for comment. If the Historical Commission does not endorse the application, a 2/3 majority vote of the Zoning Commission is required for approval;
 - v. Any Special Permit granted by the Commission shall only remain effective so long as the subject structure(s) is preserved and maintained as the principal structure on the property;
 - vi. If building materials are proposed to be substituted and modernized, the method and degree of preservation maintains the character, aesthetic and architecture of the historic building;
 - vii. Any deviation from the standards approved by the Commission shall be restricted to the minimum amount deemed necessary to encourage preservation of the historic structure(s); and
 - viii. The Commission and Redevelopment Agency determines that:
 - a. the structure(s) in question contributes to community character or possesses a degree of historic significance (which may be evidenced by its age, architectural uniqueness, or cultural value).
 - b. if preserved, the structure would represent a cultural benefit to the community, and,
 - c. the structure in question requires some measure of regulatory relief to allow for its preservation.
- (b) In order to encourage and foster the growth or arts within the district, the Commission may, by Special Permit, allow Artist Live/Work spaces with a building height bonus of ten (10) feet, provided:
- i. they are part of a rehabilitation, preservation or addition to an existing structure listed on a local, state or national historic inventory.
 - ii. The Commission shall refer the application to the Arts Commission for review and consideration. If the Arts Commission does not endorse the application, a 2/3 majority vote of the Zoning Commission is required for approval.
 - iii. each unit is consistent with the provisions of the Housing Code, Fire Marshal Code and Building Code.
 - iv. units are at least seven hundred fifty (750) square feet in size.

- v. retail sales of art produced on-site that does not take place more than twelve (12) hours per week as an allowable accessory use.
 - vi. Artist Live/Work spaces are subject to workforce housing requirements.
 - vii. the use, including storage of materials or products, shall occur only within an enclosed building.
 - viii. all noise, vibration, smoke, dust or other particulate matter, heat, humidity, glare or other effect shall comply with City standards relating to noise, light, dust and odors.
- (c) Boutique Manufacturing, with or without an accessory retail use, or light manufacturing, provided that:
- i. the total square footage is greater than 15,000 SF.
 - ii. all manufacturing activity, including the storage of all equipment, materials and products, shall occur inside the building and no outside storage of any kind is permitted, unless the Commission makes an affirmative finding that there will be no adverse impacts on neighboring properties and the equipment, materials and products cannot be stored indoors and are essential to the operation of the business.
 - iii. only manufacturing processes that comply with City standards relating to noise, light, dust and odors are permitted.
 - iv. the manufacturing operations will not generate excessive traffic volumes or truck traffic in excess of that typically occurring in the adjacent district or neighborhood; all loading activity shall occur during daytime hours only.
- (d) Off-street structured parking facilities.
- (3) In the Central Business District-W, premises shall be used and buildings shall be erected which are used, designed or intended to be used for one (1) or more of the following uses and no other. All uses and structures shall be permitted subject to the provisions of § 118-1451, Site plan review. Properties located within the coastal zone boundary shall be subject to coastal site plan review and all other requirements of § 118-1110.
- (a) Boat-building facilities and marine supply stores.
 - (b) Industrial processing and storage facilities dependent on waterborne transportation for the supply of products.
 - (c) Marinas.
 - (d) Multifamily dwellings, including elderly housing.
 - (e) Parks, open space and public recreational facilities.
 - (f) Recreational and commercial fishing facilities.
 - (g) Restaurants and taverns (excluding drive-in facilities).
 - (h) Retail establishments.
 - (i) **Brew Pub/Distillery** [Added effective 11-15-2019]
- (4) Special Permit uses and structures. The following uses shall be permitted by Special Permit in CBD-W in accordance with the provisions of § 118-1450:
- (a) Business service establishments, as defined in Article 10, § 118-100. [Added effective 4-29-1994]
 - (b) Clubs and lodges.
 - (c) Congregate housing.

- (d) Day-care centers.
 - (e) Halfway houses, with no less than two hundred (200) square feet of living area per person. [Amended effective 6-29-1990]
 - (f) Offices, including government agencies and charitable offices, up to six thousand (6,000) square feet of gross floor area, and including medical offices. [Amended effective 5-28-1993; 9-25-2009]
 - (g) Places of worship. [Added effective 7-24-2015]
 - (h) Public utilities.
- (5) Uses which are not permitted in Subsection B(1) and (2) above shall not be permitted by variance in the Central Business District.
- (6) The following accessory uses and structures which are incidental to and customarily associated with the principal use of the premises shall be permitted:
- (a) Outdoor refuse collection and recycling receptacles; provided that they are located behind the front setback and screened from public view and from adjacent properties with a six (6) foot high fenced enclosure or year-round landscaped screening, subject to zoning inspector approval. Outdoor storage shall be prohibited.
 - (b) Where permitted by the Commission, entertainment in the form of live music, as accessory to a restaurant use, provided that all windows and doors shall remain closed while the entertainment is underway, except for the normal passage of people into and out of the premises and a sound engineering report is provided that demonstrates that the noise levels are in conformance with the noise ordinance.
 - (c) Rooftop mechanical equipment, including all heating, ventilation and air conditioning (HVAC) units, provided that all rooftop equipment is set back a minimum of ten (10) feet from the edge of the roof and fully screened with architecturally compatible screening.
 - (d) Commercial communication antennas, when located on an existing building or structure, provided that it complies with the applicable height limitation, except that antennas mounted on existing buildings which meet or exceed the height limitation now applicable may extend above the existing building height by no more than fifteen (15) feet. In addition, the color of the building shall be incorporated into the design of the antenna.
 - (e) Rooftop Gardens.
 - (f) Green Roofs.
 - (g) Outdoor dining, street vendors and kiosks shall be permitted and shall be exempt from parking requirements from April 1st to November 1st when located within 1,000 feet of a municipal parking facility, subject to the annual renewal of required zoning approval and to permission by required city agencies. [Amended effective 10-26-2007; 9-30-2011, 6-14-2019]
- (7) The height, bulk, location and use of all buildings in existence at the time of adoption of this section, which do not conform to this section and any subsequent revisions, are hereby declared to be legally nonconforming and are subject to §118-800, nonconformities, except as modified where necessary to conform to the Flood Hazard Zone and coastal area management provisions of these regulations. The owners of such property shall document by A-2 Survey or other means the height, bulk, location and use of the building as it had previously existed.

C. Lot and building requirements:

All development must comply with the Design Guidelines set forth in Central Business Design Guidelines, which accompany the West Avenue/Wall Street Redevelopment Plan dated March 13, 2019, or hereafter amended. In addition, all developments are subject to sustainability review by the Redevelopment Agency. See the Schedule Limiting Height and Bulk of Buildings, Central Business District, and all other applicable sections of these regulations, and in addition:

- (1) Cupolas, towers and spires, where not used for habitable space and where not exceeding one percent (1%) of the building area, shall be exempt from the height regulations herein, subject to the approval of the Commission.
- (2) On all arterial roads and on Burnell Boulevard, Commerce Street and Isaac Street, as well as the first twenty five feet on any street intersecting an arterial road(s) or the three additional streets, a portion, as approved by the Commission, of the street-level-floor, fronting the street, must contain a street-activating use. This requirement does not apply to a change in use in an existing building whose street-level is 18" above or below the street-level grade.
- (3) All street-level uses on arterial roads and the following streets: Burnell Boulevard, Commerce Street and Isaac Street, shall have pedestrian access to an abutting street(s) and provide a welcoming external and active street presence, regardless of whether there is an internal opening to a through block arcade or there is an internal opening to a building or development.
- (4) All developments fronting on all arterial roads and the following streets: Burnell Boulevard, Commerce Street, Isaac Street and Maple Street, as well as the first twenty five (25) feet of any intersecting side street, as measured from the building corner, shall provide sidewalks with a minimum width of seven (7) feet, which includes a two foot snow shelf and maintains a five (5) foot clearance at all times from any obstruction. Permanent obstructing features, including utilities shall be limited and approved by the Commission and Redevelopment Agency. Any sidewalk area constructed on private property may be counted toward the required public realm.
- (5) Open space shall include natural and landscaped areas, pedestrian plazas, courtyards, walkways, recreation areas and the like. Such open space shall be permitted on the roof of a structure.
- (6) Required or provided Public Realm space(s) shall express Norwalk's traditional New England culture, while serving a diverse, multi-cultural population. Public Realm space(s) shall be consistent with the definition of Public Realm in Section 2.2 of the regulations. The Public Realm space shall be safe, comfortable and respond effectively to the regional climate and surrounding environment.
- (7) Buildings listed on the Norwalk Historical Resources Inventory are hereby declared to be in compliance with the height and bulk requirements of this section. External building modifications to such structures shall conform to the guidelines set forth in the Norwalk Business District Design Guidelines.
- (8) Municipal off-street parking structures are exempt from all lot and bulk and height requirements, but not from the applicable design guidelines.
- (9) New developments and additions to structures that abut the navigable portion of the Norwalk River (south of Wall Street), must contain a water dependent use as defined in CGS 22a-93(16), result in no net loss of existing waterfront use and shall provide public access adjacent to water which is a minimum of fifteen (15) feet wide. Such public accessways shall be in the form of landscaped walks, esplanades, boardwalks or piers of suitable design to encourage active use by the public and shall be dedicated as such in the deed to the property. Access from the street to the water shall be provided subject to Commission approval. Where access along the waterfront would, in the determination of the Commission, expose the public to hazardous

conditions, the Commission may consider alternative forms of access to be provided. In addition, the public access shall be considered a public amenity for purposes of eligibility for FAR amenity bonuses.

- (10) The Commission may exempt retail and restaurant uses in that abut the navigable portion of the Norwalk River (south of Wall Street), from the average rear setback of twenty-five (25) feet as long as a fifteen-foot minimum public accessway is maintained and the facilities are available for public use.
- (11) Historic structures listed on a local, state or national historic inventory, or properties developed for residential use, including mixed-use developments that do not exceed ten (10) units, are exempt from the recreation area requirement and/or the public realm requirement.
- (12) Properties developed for residential use, including mixed-use developments, greater than ten (10) units, but do not exceed forty (40) units, are, in whole or in part, exempt from the recreation area requirement and/or the public realm requirement provided that an in-lieu fee of such requirement(s) be paid to the downtown public spaces fund of the city and that such fees shall be utilized solely for the acquisition, design and improvement of public parks and open spaces within the Central Business Design District, in an amount determined by the following formula:

The total square footage required for public realm space times \$225 square foot (value of public benefit) times 2.5% (FTA circular 9400.1A)

- (13) Developments and entitlements, previously approved as part of a Design District Development Park or as a Commission approved project in an approved Redevelopment Plan, which were granted: 1) bonus amenities; 2) a reduction in the total number of parking spaces required, beyond any reductions otherwise permitted in the regulations, 3) contain spaces that do not conform to the minimal dimensional standards for parking stalls, and/or 4) exceed the Schedule Limiting Height and Bulk of Buildings, but were compliant with the Zoning Regulations at the time of approval, are hereby declared to be in compliance with the current Zoning Regulations. Modification to an existing development or entitlement, as outlined above, is permitted, provided the standard being modified complies with the current Zoning Regulation. Said modification shall not require full compliance with current Zoning Regulation standards other than the standard being modified and shall not trigger comprehensive review of the underlying development or entitlement.

E. Amenity incentive provisions.

- (1) Eligibility criteria. A project shall be eligible to receive a bonus of additional floor area and/or building height, subject to the Schedule Limiting Height & Bulk of Buildings for the CBD Zone, if space is provided within the project for the public amenities, improvements or facilities set forth herein subject to approval by the Commission and to the project's compliance with the provisions of this section, including the following criteria:
 - (a) The overall design of the project and the specific amenities proposed are appropriate to the site, consistent with the Norwalk Business District Design Guidelines and contribute to the improvement of the downtown pedestrian environment.
 - (b) The applicant records a covenant on the land records which ensures the continuous operation and maintenance of the amenity and that such covenant shall run with the land. The applicant, or the City of Norwalk, or other entity will be responsible for the continuous operation and maintenance of the amenity. The amenity, once designated, may only be changed with the approval of the Commission. [Amended effective 10-26-2007]

- (c) The project conforms to all other provisions of these regulations.
 - (d) The amenity must be clearly identified as a facility available for public use.
- (2) Amenity specifications. The following site amenities are hereby deemed to be mutually exclusive and cumulative:
- (a) Atrium: a continuous, open space enclosed within a structure which extends a minimum of two (2) stories in height without obstruction and admits substantial amounts of natural daylight from transparent overhead skylights and windows which comprise at least fifty percent (50%) of the enclosing ceiling and walls. The atrium must be within thirty (30) feet of a public right-of-way or plaza, be clearly designated as open to the public during business hours common to the area, provide a minimum of one (1) linear foot of seating space per thirty (30) square feet of atrium floor area and have minimum horizontal dimensions of twenty-five (25) feet. In addition, the atrium must be contiguous with retail store frontages along at least fifty percent (50%) of its perimeter.
 - (b) Child day-care center: a facility located within the project or on an adjacent Central Business Design District lot which provides child-care programs on an ongoing basis, has a maximum area of ten thousand (10,000) square feet and for which a minimum five-year lease agreement has been secured prior to the issuance of a certificate of occupancy for the project. The facility should be provided to the day-care operator at nominal rental rates to permit its services to be affordable to a wide range of working families.
 - (c) Fountain/water feature: a fountain, cascade, stream or other water display, which is a minimum of **five hundred (500) square feet**, located in an unenclosed, publicly accessible space and is maintained in operating condition throughout the year, except when weather conditions prohibit such operation. [Amended effective 6-14-2019]
 - (d) Green Infrastructure: green roofs, solar panels, rain gardens or other collection means, geothermal, pervious paving, LEED Silver construction or its equivalent, or other acceptable industry practices.
 - (e) Pedestrian plaza: a continuous open space no more than three (3) feet above or below the center-line elevation of the street and abutting a designated pedestrian right-of-way, which is open to the public at all times, provides a minimum of one (1) linear foot of seating space per thirty (30) square feet of plaza and has a minimum street frontage and horizontal width of twenty-five (25) feet and a maximum area of **five thousand (5,000) square feet**. At least twenty percent (20%) of the plaza area shall be landscaped with shrubbery and trees, and the remaining area shall be hard-surfaced pavements which conform to the streetscape standard. The applicant shall demonstrate that the plaza has adequate sun exposure and that it will be available for use by properly licensed street vendors. The Commission may exempt waterfront esplanades from street frontage requirements if adequate access from the street to the esplanade is provided. [Amended effective 6-14-2019]
 - (f) Public Art: works of art which are permanently on display and available for public viewing, interaction and enjoyment. The determination of whether a particular work of art is appropriate and eligible for an amenity bonus shall be at the discretion of the Zoning Commission and Redevelopment Agency in consultation with the Arts Commission.
 - (g) Public parking facilities: parking spaces provided in excess of those required for the approved project and dedicated for use by the general public for short-term (transient) parking. These spaces should be located on the level of a parking garage closest to the

street and/or primary entrance to the projects and should be clearly designated as available for public parking.

- (h) Sidewalk arcade: a continuous space covered by a permanent overhead roof which extends along the facade of a building twelve (12) feet above the average grade of an adjacent public right-of-way or plaza and, if enclosed, has a minimum of eight-foot wide entrances located no more than twenty-five (25) feet apart along the length of the arcade. The arcade must be contiguous with retail store frontages along at least seventy-five percent (75%) of its length.
- (i) Through-block arcade: a continuous enclosed space which runs through a structure connecting a public street to another public street, parking garage or open space at the rear of the structure. The arcade must be open to the public during business hours common to the area, have a minimum width of fifteen (15) feet and be contiguous with retail store or restaurant frontage along at least fifty percent (50%) of its length.
[Amended effective 6-26-2015]

(3) Amenity schedule: A proposed site amenity which complies with the standards set forth above shall be eligible for bonus floor area as set forth in the following table:

Public Amenity	Bonus Floor Area*
Atrium	6:1
Day Care Center	6:1
Fountain/Water Feature	5:1
Green Infrastructure	2:1
Pedestrian Plaza	2:1
Public Art	10:1
Public Parking Facility	4:1
Sidewalk Arcade	2:1
Through-Block Arcade	8:1
Waterfront Public Access	2:1

*Bonus floor area is measured as a ratio indicating the square feet of permitted development (exceeding the as-of-right FAR) for each qualifying square foot of amenity. The amenity(s) must have a minimum value of \$225/square foot of bonus floor area times 2.5% (FTA circular 9400.1A).

§ 118-505. Marine Commercial Zone. [Added 4-29-1988; amended effective 1-27-1989]

A. Purpose and intent.

- (1) The purpose of this regulation is to protect Norwalk's highest concentration of marine industries by preserving and enhancing existing water-dependent land uses and encouraging development which is compatible with the area's role as an active commercial harbor. The retention of existing boatyards, marinas and recreational and commercial fishing enterprises is essential to ensure that existing navigational channels are maintained and to preserve Norwalk's role as a seaport community and a regional port facility. The proximity of active navigational channels providing access to Long Island Sound render the property within this district suitable for all types of water-dependent uses. Mixed use developments, such as complexes of offices, restaurants, shops, parks, promenades and residences, which contribute to the preservation and enhancement of these water-dependent uses and which comply with established waterfront design guidelines are allowed by Special Permit.

- (2) In addition, the regulation seeks to encourage strong linkages between the waterfront and the South Norwalk Business District. The provision of public access along the water's edge and the development of complimentary uses and activities on the waterfront will serve to integrate the area with the Washington Street Historic District, the Maritime Center and adjacent residential neighborhoods. Within East Norwalk, the regulation seeks to promote the unified development of Cove Marina, so called, in a manner compatible with the Marina, restaurant and other existing uses as well as the recreational uses on adjacent parkland. [Amended effective 7-24-1992]

B. General regulations.

- (1) All development within this zone shall be subject to coastal site plan review and all other requirements of § 118-1110 herein.

C. Uses and structures.

- (1) Principal uses and structures. In a Marine Commercial Zone, premises shall be used and buildings shall be erected which are used, designed or intended to be used for one (1) or more of the following water-dependent uses:
 - (a) Marinas, water-based recreational uses, docks and port facilities.
 - (b) Recreational and commercial fishing and boating facilities.
 - (c) Finfish and shellfish processing plants.
 - (d) Shipyards, boat building and sales and marine repair facilities.
 - (e) EN45 Industrial, processing and storage facilities dependent on waterborne transportation for the supply of product.
 - (f) Waterfront clubs.
 - (g) Marine research labs and related facilities.
 - (h) Parks, open space, and public recreational facilities.
 - (i) Marine police, harbor master and other marine enforcement agencies.
 - (j) Other water-dependent uses which require direct access to or location in marine or tidal waters and which cannot reasonably be located inland.
- (2) Special Permit uses and structures. The following uses and structures shall be permitted by Special Permit in accordance with § 118-1450, Special Permits, provided that all Special Permit uses shall have suitable pedestrian access from an existing or proposed street, shall result in preservation and enhancement of water-dependent uses along the water's edge and shall have such shape, dimensions, character and location to accomplish the purpose and intent of Subsection A of this section:
 - (a) Multifamily dwellings, including elderly and congregate housing.
 - (b) Restaurants and taverns, excluding drive-in facilities.
 - (c) Offices, including medical offices. [Amended effective 9-25-2009]
 - (d) Hotels.
 - (e) Retail establishments and personal and business service establishments.
 - (f) Public utility supply or storage facilities.
 - (g) The expansion of an existing manufacturing use.

- (h) Terminals for freight or passengers arriving or departing by ship, including ferry boats, excursion boats and boat rental facilities. [Added effective 5-1-1998]
- (3) Accessory uses and structures which are incidental to and customarily associated with the principal water-dependent use of the premises shall be permitted, including the sale of marine equipment or products, sail lofts, boat shows and related exhibitions or events, boat storage racks, dockside facilities for dispensing fuel and restroom and laundry facilities to serve overnight patrons. Outdoor storage of trash receptacles shall not be permitted within front or rear yards. [Amended effective 7-24-1992]
 - (a) Ingress or egress awning or canopy for hospitals, nursing homes, congregate housing, medical offices and similar facilities, subject to Section 118-810(I). [Added effective 9-24-2010]
 - (b) Outdoor refuse collection and recycling receptacles shall be located behind the front setback and shall be screened from public view and from adjacent properties with a six (6) foot high fenced enclosure or year-round landscaped screening, subject to zoning inspector approval. [Added effective 7-29-2011]
 - (c) Where permitted by the Commission, entertainment in the form of live music shall be permitted as accessory to a restaurant use provided that all windows and doors shall remain closed while the entertainment is underway, except for the normal passage of people into and out of the premises [Added eff. 9-30-2011]
 - (d) All rooftop mechanical equipment, including all heating, ventilation and air conditioning (HVAC) units, shall be setback a minimum of ten (10) feet from the edge of the roof and fully screened with architecturally compatible screening. [Amended effective 9-26-2014]
- (4) For purposes of this Article, the provision of public access to the waterfront shall not, by itself, convert an otherwise non-water-dependent use into a water-dependent use.
- (5) Uses which are not otherwise permitted in the Marine Commercial Zone shall not be permitted by variance in this district.

D. Lot and building requirements.

- (1) New developments and additions to structures on lots adjacent to the water shall provide public access along the waterfront which is a minimum of twenty-five (25) feet wide. Such public accessways shall be in the form of landscaped walks, esplanades, boardwalks or piers, of suitable design to encourage active use by the public, and shall be dedicated as such in the deed to the property. Access from the street to the water shall be provided, subject to Commission approval. Where access along the waterfront would, in the determination of the Commission, expose the public to hazardous conditions, the Commission may consider alternative forms of access to be provided. Reasonable time-of-day restrictions may be established regarding such public accessways where justified for reasons of security or public safety.
- (2) The rear yard may be waived or modified by the Commission where the proposed use preserves and enhances water-dependent uses or where a lesser setback would maximize public views of and access to the waterfront or where the reuse of existing buildings and structures is considered to be consistent with the purposes of the district.
- (3) The amount of building floor area and residential density permitted by these regulations shall be calculated on the area of parcel which is above the mean high water (MHW) line at the time that the application is filed.

(4) Large single lot development. In order to permit phased development upon parcels ten (10) acres or larger in area, subparcels may be created within which the requirements of the Marine Commercial regulations shall apply, subject to the following requirements. Development may take place upon two (2) or more subparcels in the same phase. [Added effective 7-24-1992]

- (a) Subparcels shall be created according to an overall plan for the entire parcel, subject to approval by the Zoning Commission;
- (b) Each subparcel shall have a minimum of one hundred (100) feet of direct frontage on the waterfront and shall maintain ninety percent (90%) of this width for the depth of the subparcel;
- (c) Each subparcel shall have a minimum area of one (1) acre; and
- (d) Public access along the waterfront within a subparcel shall be accessible from a street, subject to approval by the Zoning Commission.

(5) The height, bulk, location and use of all buildings in existence at the time of adoption of this section are hereby declared to be in conformance with the requirements of this section, provided that if such buildings are destroyed by fire, explosion or act of God or act of public enemy to an extent exceeding fifty percent (50%) of their assessed value, they may be reconstructed only if the height, bulk, location and use of the building is substantially as it had previously existed, subject to approval by the Director of Planning and Zoning, except as modified where necessary to conform with the flood hazard zone and coastal area management provisions of these regulations. The owners of such property shall document by A-2 survey or other means, the height, bulk, location and use of the building as it had previously existed. [Added effective 7-24-1992]

E. Off-street parking and loading requirements. See §§ 118-1200 through 118-1260, except that:

- (1) Twenty percent (20%) of the parking required for residential and recreational boating uses may be met by the parking provided for other nonresidential permitted uses. However, where it can be sufficiently demonstrated, to the satisfaction of the Commission, that another permitted use occurs predominantly during the weekday and daytime hours, for example offices, then up to fifty percent (50%) of the parking required for residential and recreational boating uses may be met by the parking provided for such other permitted uses. Under these circumstances, a use which occurs predominantly during the weekday and daytime hours shall not be changed to a use which does not occur predominantly during the weekday and daytime hours.
- (2) Parking facilities and driveways shall not be closer than thirty (30) feet from MHW, except where required for access by a water-dependent use. Unenclosed surface parking shall be no closer than fifty (50) feet from the front property line, and such unenclosed surface parking shall provide a landscaped buffer strip to ensure an appropriate transition between public access areas and parking facilities.

F. Sign regulations. See §§ 118-1290 through 118-1295.

§ 118-506. SoNo Station Design District. [Added effective 8-24-1990; amended effective 4-27-2018; 8-30-2019]

A. Purpose and intent. The SoNo Station Design District (SSDD) zoning seeks to enhance transit utilization by establishing a higher density mix of uses, which include but are not limited to residential, office, retail, personal and business services and public uses, in the area

immediately surrounding the South Norwalk Train Station. Increased development potential is allowed in the SSDD to (1) induce economic investment; (2) enhance pedestrian activity, including improved streetscape and transit access; (3) improve urban form and design; and (4) reduce vehicle miles traveled. [Amended effective 3-30-2012; 4-27-2018]

B. Uses and structures.

- (1) Principal uses and structures. In the SoNo Station Design District, premises shall be used and buildings shall be erected which are used, designed or intended to be used for one (1) or more of the following uses and no other. All uses and structures shall be permitted subject to the provisions of § 118-1451, Site plan review. Properties located within the coastal zone boundary shall be subject to coastal site plan review and all other requirements of § 118-1110.
 - (a) Railroad station and commuter facilities, provided that commuter parking shall only be allowed in accordance with § 118-506, Subsection D(1).
 - (b) Multifamily dwellings, provided that:
 - a. when located on a collector or arterial street, the street level use must be a permitted use listed below, excluding parks, playgrounds and open space
 - b. such dwellings are subject to the Workforce Housing Regulation in Article 101, Section 118-1050.
 - (c) Retail stores and personal and business service establishments.
 - (d) Health clubs.
 - (e) Offices, including medical offices. [Amended effective 9-25-2009]
 - (f) Banks and financial institutions (excluding drive-in facilities).
 - (g) Restaurants and taverns (excluding drive-in facilities).
 - (h) Theaters and auditoriums.
 - (i) Child day-care centers.
 - (j) Parks, playgrounds and open space.
 - (k) Public recreation facilities.
 - (l) Commercial recreation establishments
 - (m) Colleges, universities and schools, including business and trade schools, and studios.
 - (n) Museums, libraries and meeting halls.
 - (o) Community centers, lodges and private clubs.
 - (p) Places of worship. [Added effective 7-24-2015]
 - (q) Hotels, including extended stay hotels.
 - (r) Boutique manufacturing, with or without an accessory retail use, provided that: subject to § 118-506, Subsection F.
 - i. All manufacturing activity, including the storage of all equipment, materials and products, shall occur inside the building; no outside storage of any kind is permitted.
 - ii. Only manufacturing processes that comply with City standards relating to noise, light, dust and odors are permitted.

- iii. The manufacturing operations will not generate excessive traffic volumes or truck traffic in excess of that typically occurring in the adjacent district or neighborhood; all loading activity shall occur during daytime hours only.
 - (s) Printing establishments.
 - (t) Research and development facilities.
 - (u) Artist workspace.
 - (v) Artist live/workspace [Added effective 8-30-2019]
 - (w) Brew Pub/Distillery [Added effective 11-15-2019]
- (2) Special Permit uses and structures. (Amended effective 4-27-2018)
- In order to encourage the preservation of structures contributing to positive aspects of community character, the Commission may, by Special Permit, allow a minimum area or dimensional requirement, (such as yard setback or parking requirement) or a maximum requirement, (such as maximum floor area) to be exceeded, provided:
- a. The subject structure(s) are listed on a local, state or national historic inventory;
 - b. The extent of the requirement to be exceeded or reduced shall be clearly identified on the application presented to the Commission;
 - c. Any Special Permit granted by the Commission shall only remain effective so long as the subject structure(s) is preserved and maintained as the principal structure on the property;
 - d. Any deviation from the standards approved by the Commission shall be restricted to the minimum amount deemed necessary to encourage preservation of the historic structure(s); and
 - e. The Commission and Redevelopment Agency determines that:
 - i. the structure(s) in question contributes to community character or possesses a degree of historic significance (which may be evidenced by its age, architectural uniqueness, or cultural value).
 - ii. if preserved, the structure would represent a cultural benefit to the community, and,
 - iii. the structure in question requires some measure of regulatory relief to allow for its preservation.
- (3) Uses which are not permitted in Subsection B.(1) and (2) above shall not be permitted by variance in the SoNo Station Design District.
- (4) Accessory uses and structures. Accessory uses and structures which are incidental to and customarily associated with the principal use of the premises shall be permitted.
- (a) Ingress or egress awning or canopy for hospitals, nursing homes, congregate housing, medical offices and similar facilities, subject to Section 118-810(I). [Added effective 9-24-2010]
 - (b) Outdoor storage shall be prohibited. Outdoor refuse collection and recycling receptacles shall be located behind the front setback and shall be screened from public view and from adjacent properties with a six (6) foot high fenced enclosure or year-round landscaped screening, subject to zoning inspector approval. [Added effective 7-29-2011]

- (c) Where permitted by the Commission, entertainment in the form of live music shall be permitted as accessory to a restaurant use provided that all windows and doors shall remain closed while the entertainment is underway, except for the normal passage of people into and out of the premises [Added eff. 9-30-2011]
 - (d) All rooftop mechanical equipment, including all heating, ventilation and air conditioning (HVAC) units, shall be setback a minimum of ten (10) feet from the edge of the roof and fully screened with architecturally compatible screening. [Amended effective 9-26-2014]
 - (e) Commercial communication antennas are permitted as an accessory use when located on an existing building or structure, subject to the applicable height limitation, except that antennas mounted on existing buildings which meet or exceed the height limitation now applicable may extend above the existing building height by no more than fifteen (15) feet. In addition, the color of the building shall be incorporated into the design of the antenna.
 - (f) Commuter parking, as required by the Connecticut Department of Transportation, shall be considered a use accessory only to the South Norwalk Railroad Station, and shall be limited to eight hundred thirty-five (835) spaces.
- (5) The height, bulk, location and use of all buildings in existence at the time of adoption of this section, which do not conform to this section and any subsequent revisions, are hereby declared to be legally nonconforming and are subject to §118-800, nonconformities, except as modified where necessary to conform to the Flood Hazard Zone and coastal area management provisions of these regulations. The owners of such property shall document by A-2 Survey or other means the height, bulk, location and use of the building as it had previously existed. [Added effective 4-27-2018]
- C. Lot and building requirements. All development and building changes in the SoNo Station Design District must comply with the Design Guidelines set forth in Sections 5.3 - 5.5 of the South Norwalk TOD Redevelopment Plan dated September 2016. In addition, all developments are subject to sustainability review by the Redevelopment Agency. See the Schedule Limiting Height and Bulk of Buildings, SoNo Station Design District, and all other applicable sections of these regulations, and in addition:
- (1) Cupolas, towers and spires, where not used for habitable space and where not exceeding one percent (1%) of the building area, shall be exempt from the height regulations herein, subject to the approval of the Commission.
 - (2) Open space shall include natural and landscaped areas, pedestrian plazas, courtyards, walkways, recreation areas and the like. Such open space shall be permitted on the roof of a structure.
 - (3) Where such Schedule refers to "Public Realm Uses", this means uses in the "public realm", as follows:

The public realm expresses traditional New England culture while serving a diverse, multicultural population. It is a fully accessible and engaging experience that includes diverse public parks and civic spaces; an interconnected system of public walkways, bicycle trails and public transit; a vibrant and active waterfront; and active mixed use areas that are all enhanced through high-quality architecture, streetscape design and public art. It is safe, comfortable and responds effectively to the regional climate and surrounding environment.
- D. Off-street parking and loading requirements. See §§ 118-1200 through 118-1260, except that:

- (1) Commuter parking for the railroad station is allowed as a use accessory only to the South Norwalk Railroad Station, but subject to the limitation set forth in § 118-506, Subsection B.(4)(f).
- (2) Parking spaces shall be located in the rear and/or side yard. Parking proposed for the side yard shall be screened from the street by landscaping.
- (3) Notwithstanding the dimensional requirements in Article 120, § 118-1230, Subsections B and C, parking stall dimensions and minimum aisle width within the SoNo Station Design District shall be as follows: (Amended effective 9-24-1993; amended effective 4-27-2018)
 - (a) Parking stalls for full-size vehicles shall be eight (8) feet three (3) inches in width and seventeen (17) feet in length.
 - (b) Minimum aisle width for ninety-degree right-angle parking shall be twenty-six (26) feet.
 - (c) Not more than thirty-five percent (35%) of the parking required shall be for compact vehicles.
 - (d) The provisions of § 118-1230 C.(4), relating to approval of parking layouts by the Zoning Inspector, shall not apply.
 - (e) A minimum of five percent (5%) of the parking spaces required by such regulations shall include electric vehicle charging stations, some of which may be included within the compact vehicle spaces.

§ 118-510. Neighborhood Business Zone. [Amended effective 5-22-1958; 9-25-1981; 9-13-1985; 1-16-1987; 6-29-1990; 6-28-1991; 12-24-2010]

A. Purpose and intent. The purpose of this regulation is to provide a district which permits a diversity of uses which serve neighborhood retail and service needs at a scale appropriate to the residential areas which surround it. It is intended that this Zone will encourage mixed-use development in neighborhood commercial areas. Water-dependent uses are encouraged to locate on those lots which are adjacent to the waterfront. The provisions of this Zone are designed to ensure that all permitted uses and structures will be compatible with each other and will provide protection to adjacent residential areas.

B. Uses and structures.

- (1) Principal uses and structures. In a Neighborhood Business Zone, premises shall be used and buildings shall be erected which are used, designed or intended to be used for one (1) or more of the following uses and no other. Any use or structure having a gross floor area of five thousand (5,000) square feet or more or requiring fifteen (15) parking spaces or more shall be permitted subject to the provisions of § 118-1451, Site plan review. Properties located within the coastal zone boundary shall be subject to coastal site plan review and all other requirements of § 118-1110 herein.
 - (a) Single- and two-family dwellings.
 - (b) Multifamily dwellings containing fewer than twelve (12) units, including elderly and congregate housing.
 - (c) Retail stores and personal and business service establishments having a gross floor area of fewer than eight thousand (8,000) square feet.
 - (d) Offices having a gross floor area of fewer than eight thousand (8,000) square feet, including medical offices. [Amended effective 9-25-2009]

- (e) Banks and financial institutions.
- (f) Restaurants and taverns having a gross floor area of fewer than two thousand five hundred (2,500) square feet.
- (g) Places of worship, churches and church buildings.
- (h) Schools, including nursery schools and child day-care centers.
- (i) Marinas, including the sale, repair and servicing of boats, commercial fishing and boating facilities and waterfront clubs.
- (j) Parks, playgrounds and community centers.
- (k) Museums and libraries.
- (l) Off-street parking facilities.
- (m) Fire stations.
- (n) Boutique manufacturing shall be allowed as an accessory use to a permitted retail use, subject to compliance with the following requirements: [Added effective 12-24-2010]
 - (1) Such boutique manufacturing shall not exceed three thousand (3,000) square feet in area and shall be directly related to the principal permitted retail use; and
 - (2) All manufacturing activity, including the storage of all equipment, materials and products, shall occur inside the building; no outside storage of any kind is permitted; and
 - (3) Only manufacturing processes that are not offensive with regard to noise, light, dust and odors, and which have the same or lesser impact than the principal retail use are permitted; and
 - (4) The manufacturing activity shall occupy an area of no more than sixty percent (60%) of the gross floor area occupied by the associated retail establishment; and
 - (5) The manufacturing process is principally artisan or fabrication by hand, and shall not include mass production or assembly line operations; and
 - (6) The manufacturing operations will not generate excessive traffic volumes or truck traffic in excess of that typically occurring in the adjacent district or neighborhood; all loading activity shall occur during daytime hours only.
- (2) Special Permit uses and structures. The following uses shall be permitted by Special Permit in accordance with the provisions of § 118-1450, Special Permits, and shall comply with the Schedule Limiting Height and Bulk of Buildings, Commercial and Industrial, EN and any additional standards set forth herein:
 - (a) Multifamily dwellings, containing twelve (12) or more units, including elderly and congregate housing.
 - (b) Retail stores and personal and business service establishments having a gross floor area of eight thousand (8,000) square feet or more.
 - (c) Offices having a gross floor area of eight thousand (8,000) square feet or more, including medical offices. [Amended effective 6-26-2009]

- (d) Restaurants and taverns having a gross floor area of two thousand five hundred (2,500) square feet or more.
 - (e) Commercial recreation establishments.
 - (f) Gasoline stations and the sale and service of motor vehicles, subject to § 118-1010.
 - (g) Public utility supply or storage facilities.
 - (h) Halfway houses with no fewer than two hundred (200) square feet of living area per person.
 - (i) Boarding and rooming houses and group homes.
 - (j) Convalescent and nursing homes.
 - (k) **Brew Pub/Distillery, provided that brew pubs/distillery do not emit noxious odors or cause undue traffic burdens on the neighborhood** [Added effective 11-15-2019]
- (3) Uses which are not otherwise permitted in Subsection B(1) and (2) above shall not be permitted by variance in the Neighborhood Business Zone.
- (4) Accessory uses and structures. Accessory uses and structures which are incidental to and customarily associated with the principal use of the premises shall be permitted subject to the following conditions:
- (a) Outdoor storage shall be confined to the rear and side yards only and shall be effectively screened from adjacent properties. Outdoor refuse collection and recycling receptacles shall be located behind the front setback and shall be screened from public view and from adjacent properties with a six (6) foot high fenced enclosure or year-round landscaped screening, subject to zoning inspector approval. [Amended effective 7-29-2011]
 - (b) Accessory uses which are customarily associated with a principal water-dependent use shall also be permitted, including the sale of marine equipment or products, boat storage racks, dockside facilities for dispensing fuel and restroom and laundry facilities to serve overnight patrons.
 - (c) Commercial communication antennas are permitted as an accessory use when located on an existing building or structure, subject to the height limitation of that zone, except that antennas mounted on existing buildings which meet or exceed the height limitation of that zone may extend above the existing building height by no more than fifteen (15) feet. In addition, the color of the building shall be incorporated into the design of the antenna. [Added effective 4-25-1997]
 - (d) Ingress or egress awning or canopy for hospitals, nursing homes, congregate housing, medical offices and similar facilities, subject to Section 118-810(I). [Added effective 9-24-2010]
 - (e) Where permitted by the Commission, entertainment in the form of live music shall be permitted as accessory to a restaurant use provided that all windows and doors shall remain closed while the entertainment is underway, except for the normal passage of people into and out of the premises [Added eff. 9-30-2011]
 - (f) All rooftop mechanical equipment, including all heating, ventilation and air conditioning (HVAC) units, shall be setback a minimum of ten (10) feet from the

edge of the roof and fully screened with architecturally compatible screening.
[Amended effective 9-26-2014]

C. Lot and building requirements. See the Schedule Limiting Height and Bulk of Buildings, Commercial and Industrial, EN46 and all other applicable sections of these regulations, and in addition:

(1) Public access to waterfront.

(a) New developments on lots adjacent to the water shall provide public access to the waterfront. Public accessways shall be an average of fifteen (15) feet in width and in the form of landscaped walks, boardwalks or piers designed to encourage active use by the public. Where access along the waterfront would in the determination of the Commission expose the public to hazardous conditions, the Commission may consider alternative forms of access to be provided. Reasonable time-of-day restrictions may be established regarding such public accessways where justified for reasons of security or public safety.

(b) Where the principal use of the property is a single- or two-family dwelling or a water-dependent use, the public access requirement shall not apply.

(2) The height, bulk, location and use of all buildings in existence at the time of adoption of this section are hereby declared to be in conformance with the requirements of this section, provided that if such buildings are destroyed by fire, explosion, act of God or act of public enemy to an extent exceeding fifty percent (50%) of their assessed value, they may be reconstructed only if the height, bulk, location and use of the building is substantially as it had previously existed, subject to approval by the Director of Planning and Zoning, except as modified where necessary to conform to the Flood Hazard Zone and coastal area management provisions of these regulations. The owners of such property shall document by A-2 Survey or other means the height, bulk, location and use of the building as it had previously existed.

(3) Single- and two-family dwellings shall comply with the Schedule Limiting Height and Bulk of Buildings, Residential: D Residence. EN47

(4) A minimum building height shall apply only to uses enumerated in subsections B(1) and B (2) a-e.; except that ancillary portions of buildings less than the required height shall be permitted, provided that such portions do not exceed five percent (5%) of the gross floor area. [Added effective 3-27-2009]

(5) Neighborhood-Business-zoned properties located in an urban renewal area shall comply with the following additional standards:

(a) Retail, personal and business service establishments or restaurant uses shall be required on the ground floor.

(b) The minimum building height shall be two (2) stories and twenty-five (25) feet.

(c) Front yard setbacks shall not be required.

D. Off-street parking and loading requirements. See §§ 118-1200 through 118-1260, except that:

(1) Parking facilities and driveways shall not be closer than twenty (20) feet to a property line which abuts a residence zone.

E. Sign regulations. See §§ 118-1290 through 118-1295.

§ 118-520. South Norwalk Business District [Amended effective 9-10-1981; 9-25-1981; 9-13-1985; 1-16-1987; 10-1-1987; 6-28-1991; 4-24-1992; 2-26-1999]

A. Purpose and intent. The purpose of this regulation is to permit retail stores, service shops, offices, multifamily dwellings, mixed-use development and other compatible uses at a scale consistent with the urban location of this district. The area within this district is intended to have infrastructure of sufficient capacity either prior to or coincident with permitted development.

B. Uses and structures.

(1) Principal uses and structures. In the South Norwalk Business District, premises shall be used and buildings shall be erected which are used, designed or intended to be used for one (1) or more of the following uses and no other. Any use or structure having a gross floor area of twenty thousand (20,000) square feet or more or requiring twenty (20) parking spaces or more shall be permitted, subject to the provisions of § 118-1110, Coastal site plan review.

(a) All uses, including special permit uses, permitted in the D Residence Zone.
[Amended effective 7-24-2015]

(b) Offices, including medical offices. [Amended effective 9-25-2009]

(c) Banks and financial institutions.

(d) Hotels and motels.

(e) Retail stores and personal and business service establishments.

(f) Restaurants and taverns.

(g) Theaters and auditoriums.

(h) Lodge, meeting and concert halls, including social clubs.

(i) Schools, including business and trade schools, and studios.

(j) Mixed-use development, subject to § 118-750.

(k) Research and development facilities.

(l) Museums and libraries.

(m) Off-street parking facilities.

(n) **Brew Pub/Distillery** [Added effective 11-15-2019]

(2) Special Permit uses and structures. The following uses shall be permitted by Special Permit in accordance with § 118-1450, Special Permits, and shall comply with the Schedule Limiting Height and Bulk of Buildings -- Commercial and Industrial, and any additional standards set forth herein:

(a) Commercial recreation establishments.

(b) Off-street parking structures and garages.

(c) Boutique manufacturing shall be allowed as an accessory use to a permitted retail use, subject to compliance with the following requirements: [Added effective 10-28-2005]

(1) Such boutique manufacturing shall not exceed three thousand (3,000) square feet in area and shall be directly related to the principal permitted retail use; and

- (2) All manufacturing activity, including the storage of all equipment, materials and products, shall occur inside the building; no outside storage of any kind is permitted; and
 - (3) Only manufacturing processes that are not offensive with regard to noise, light, dust and odors, and which have the same or lesser impact than the principal retail use are permitted; and
 - (4) The manufacturing activity shall occupy an area of no more than sixty percent (60%) of the gross floor area occupied by the associated retail establishment; and
 - (5) The manufacturing process is principally artisan or fabrication by hand, and shall not include mass production or assembly line operations; and
 - (6) The manufacturing operations will not generate excessive traffic volumes or truck traffic in excess of that typically occurring in the adjacent district or neighborhood; all loading activity shall occur during daytime hours only.
- (d) Electric power generator, as defined herein, subject to Section 118-830(B).
[Added effective 1-26-2007]
- (3) Uses which are not otherwise permitted in Subsection B(1) and (2) above shall not be permitted by variance in the South Norwalk Business District.
- (4) Accessory uses and structures. Accessory uses and structures which are incidental to and customarily associated with the principal uses of the premises shall be permitted subject to the following restrictions:
- (a) Outdoor storage shall be prohibited. Outdoor refuse collection and recycling receptacles shall be located behind the front setback and shall be screened from public view and from adjacent properties with a six (6) foot high fenced enclosure or year-round landscaped screening, subject to zoning inspector approval. [Amended effective 7-29-2011]
 - (b) Commercial communication antennas are permitted as an accessory use when located on an existing building or structure, subject to the height limitation of that zone, except that antennas mounted on existing buildings which meet or exceed the height limitation of that zone may extend above the existing building height by no more than fifteen (15) feet. In addition, the color of the building shall be incorporated into the design of the antenna.
 - (c) Ingress or egress awning or canopy for hospitals, nursing homes, congregate housing, medical offices and similar facilities, subject to Section 118-810(I).
[Added effective 9-24-2010]
 - (d) Where permitted by the Commission, entertainment in the form of live music shall be permitted as accessory to a restaurant use provided that all windows and doors shall remain closed while the entertainment is underway, except for the normal passage of people into and out of the premises [Added effective 9-30-2011]
 - (e) All rooftop mechanical equipment, including all heating, ventilation and air conditioning (HVAC) units, shall be setback a minimum of ten (10) feet from the edge of the roof and fully screened with architecturally compatible screening. [Amended effective 9-26-2014]

C. Lot and building requirements. See the Schedule Limiting Height and Bulk of Buildings -- Commercial and Industrial and all other applicable sections of these regulations and, in addition:

- (1) Multifamily dwellings shall require one thousand six hundred fifty (1,650) square feet of lot area per dwelling unit. However, multifamily developments of 19 units or less that provide a minimum of ten percent (10%) of the total number of on-site units as affordable in accordance with Section 118-1050 Workforce Housing Regulations, shall require seven hundred and eighty-five (785) square feet of lot area per dwelling unit and shall be permitted by special permit. [Amended effective 10-29-2010]
- (2) Open space shall include natural and landscaped areas, pedestrian plazas, courtyards, walkways, recreation areas and the like. Open space on the roof of a structure shall be permitted, provided that the open space requirement extends neither more than ten (10) feet nor more than one (1) story above the center-line elevation of the street.
- (3) All development within this zone shall comply with the architectural design and streetscape standards defined in the Norwalk Business District Design Guidelines.
- (4) A minimum building height shall apply only to uses enumerated in subsection B (1) and B(2) a. and c; except that ancillary portions of buildings less than the required height shall be permitted, provided that such portions do not exceed five percent (5%) of the gross floor area. [Added effective 3-27-2009]

D. Off-street parking and loading requirements. See §§ 118-1220 through 118-1280 and, in addition:

- (1) Off-street parking structures, the roofs of which are more than three (3) feet above the center-line elevation of the street, shall be set back a minimum of fifty (50) feet from any property line. Off-street parking and loading facilities shall be effectively screened from adjacent streets and properties and landscaped with trees and shrubs.
- (2) Off-street parking facilities, structures and driveways shall not be closer than twenty (20) feet to a property line which abuts a residence zone.
- (3) A restaurant in existence as of July 1, 2005 and located within six hundred feet of a municipal parking lot shall not be required to provide additional parking for interior expansions within the existing gross restaurant floor area of one thousand (1,000) square feet or less. This provision shall apply to restaurant uses only and shall not apply to floor space devoted to mixed uses. [Added effective 1-27-2006]
- (4) Properties developed for multifamily residential use may submit a written request to utilize the transit oriented development (TOD) parking requirements shown in Section 118-700 D.(2) to allow one (1) parking space per studio dwelling unit, one (1) parking space per one (1) bedroom dwelling unit and two (2) parking spaces per two (2) bedroom or larger dwelling unit provided that the amount of parking spaces provided shall in no event be less than an average of 1.30 parking spaces per dwelling unit; subject to the submittal of a Parking Management Plan and to Commission review and approval. [Added effective 10-24-2014]

E. Sign regulations. See §§ 118-1290 through 118-1295.

§ 118-521. Business No. 1 Zone. [Added effective 1-16-1987]

A. Purpose and intent. The purpose of this regulation is to permit a diversity of uses, including offices, retail services, manufacturing and multifamily dwellings, at a scale appropriate to the

commercial, employment and housing needs of this city. The area within this zone is intended to have infrastructure of sufficient capacity either prior to or coincident with permitted development. The provisions of this zone are designed to ensure that all permitted uses and structures will be compatible with each other and will provide protection to adjacent residential areas.

B. Uses and structures.

(1) Principal uses and structures. In a Business No. 1 Zone, premises shall be used and buildings shall be erected which are used, designed or intended to be used for one (1) or more of the following uses and no other. Any use or structure having a gross floor area of ten thousand (10,000) square feet or more or requiring twenty-five (25) parking spaces or more shall be permitted subject to the provisions of § 118-1451, Site plan review.

(a) All uses, including special permit uses, permitted in the D Residence Zone. [Amended effective 7-24-2015]

(b) Offices, including medical offices and contractor's offices. [Amended effective 9-25-2009; 3-29-2013]

(c) Banks and financial institutions.

(d) Hotels and motels.

(e) Retail stores and personal and business service shops having a gross floor area of less than twenty-five thousand (25,000) square feet. [Amended effective 8-28-1998]

(f) Restaurants and taverns.

(g) Theaters and auditoriums.

(h) Lodge, meeting and concert halls, including social clubs.

(i) Schools, including business and trade schools, and studios.

(j) Mixed-use development, subject to § 118-750.

(k) Research and development facilities.

(l) Manufacture, processing or assembly of goods which are not noxious or offensive due to emission of noise, pollutants or waste.

(m) Museums.

(n) Off-street parking facilities.

(o) Indoor contractor parking facility, subject to submittal of environmental impact statement certified by a licensed civil or environmental engineer. [Added effective 12-19-2014]

(p) **Brew Pub/Distillery** [Added effective 11-15-2019]

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

(a) Warehouse, storage and wholesale distribution facilities, including package distribution facilities. **In a Business No. 1 Zone, such storage facilities shall be**

located only on parcels containing a minimum of two acres in size.

[Amended effective 9-27-1996; 4-29-2016; 7-26-2019]

(b) Gasoline stations and the sale and service of motor vehicles, subject to § 118-1010.

(c) Contractor's storage yards. [Amended effective 3-29-2013]

(d) Transportation terminals.

(e) Halfway houses, with no less than two hundred (200) square feet of living area per person. [Added effective 6-29-1990]

(f) Commercial recreation establishment. [Added effective 12-7-1990]

(g) Retail stores and personal and business service shops having a gross floor area of twenty-five thousand (25,000) square feet or more. [Added effective 8-28-1998]

(h) Helicopter landing sites, as an accessory use to a principal permitted use, subject to special permit review and to the following restrictions: the landing site shall be a minimum of 300 feet from a residence zone and flight operations shall be restricted to the hours of 7:00 am to 7:00 pm only. [Added effective 9-28-2001]

(i) Electric power generator, as defined herein, subject to Section 118-830(B). [Added effective 1-26-2007]

(j) Medical marijuana dispensary (Added effective 10-30-2017)

(3) Uses which are not otherwise permitted in Subsection B(1) and (2) above shall not be permitted by variance in the Business No. 1 Zone.

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

- (a) Outdoor storage shall be confined to the rear and side yards only and shall be effectively screened from adjacent properties. Outdoor refuse collection and recycling receptacles shall be located behind the front setback and shall be screened from public view and from adjacent properties with a six (6) foot high fenced enclosure or year-round landscaped screening, subject to zoning inspector approval. [Amended effective 7-29-2011]
- (b) Commercial communication antennas are permitted as an accessory use when located on an existing building or structure, subject to the height limitation of that zone, except that antennas mounted on existing buildings which meet or exceed the height limitation of that zone may extend above the existing building height by no more than 15 feet. In addition, the color of the building shall be incorporated into the design of the antenna. [Added effective 12-20-1996]
- (c) Ingress or egress awning or canopy for hospitals, nursing homes, congregate housing, medical offices and similar facilities, subject to Section 118-810(I). [Added effective 9-24-2010]
- (d) Where permitted by the Commission, entertainment in the form of live music shall be permitted as accessory to a restaurant use provided that all windows and

doors shall remain closed while the entertainment is underway, except for the normal passage of people into and out of the premises [Added eff. 9-30-2011]

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

C. Lot and building requirements. See the Schedule Limiting Height and Bulk of Buildings, Commercial and Industrial, and all other applicable sections of these regulations, and in addition:

- (1) Multifamily dwellings shall require one thousand six hundred fifty (1,650) square feet of lot area per dwelling unit. [Amended effective 12-30-1988]
- (2) A minimum building height shall apply only to uses enumerated in subsection B(1) a. - j. and B(2) f. and g.; except that firehouses shall be exempt from minimum building height requirements and buildings with a retail floor area of eighty thousand (80,000) square feet or more located on a property that is no more than eight-tenths (.8) of a mile from an interstate highway exit or entrance ramp shall be exempt from minimum building height requirements. Ancillary portions of buildings less than the required height shall be permitted, provided that such portions do not exceed five percent (5%) of the gross floor area. [Added effective 3-27-2009; amended effective July 27, 2012] EN48
- (3) Open space shall include natural and landscaped areas, pedestrian plazas, courtyards, walkways, recreation areas and the like. Open space on the roof of a structure shall be permitted, provided that the minimum open space requirement extends neither more than ten (10) feet nor more than one (1) story above the center-line elevation of the street.
- (4) Environmental impact statement for indoor contractor parking facilities. No use shall be allowed that is noxious or offensive by reason of the emission of smoke, particulate matter, noise, dust, glare, fumes, odor, ionizing radiation, vibration, heat or any other pollutant or waste. A written assessment of the environmental impacts of the proposed uses shall accompany all applications for indoor contractor parking facilities and such statement shall be certified by a licensed civil or environmental engineer. [Added effective 12-19-2014]
- (5) The Floor Area Ratio (FAR) for a storage facility shall be increased to 1.5 when the facility is located on a parcel greater than two (2) acres in size and that abuts a limited access highway.
 - (a) When the storage facility is part of a mixed use development, the increased FAR shall apply only to the storage facility component and shall be determined by calculating the FAR for all onsite use(s), then applying a fifty percent (50%) increase to the square footage allocated to the storage use only. [Added effective 4-24-2015]

D. Off-street parking and loading requirements. See §§ 118-1200 through 118-1260 and, in addition:

- (1) The principal use and structure of the property shall be located between the front yard and the street wall of a parking structure which is more than three (3) feet above the center-line elevation of the street, for a minimum of fifty percent (50%) of the length of the parking structure. This provision shall not be applicable to parking structures within a development park which parking structures are located more than one hundred ten

(110) feet from the center-line of the street (subject to § 118-1000B) and separated from the street by a wetland or watercourse. Any portion of a parking structure which is more than three (3) feet above the center-line elevation of the street and which extends to the front yard shall be effectively screened. [Amended effective 5-27-1994; 11-24-1995; 12-20-1996]

(2) Parking facilities and driveways shall not be closer than twenty (20) feet to a property line which abuts a residence zone.

E. Sign regulations. See §§ 118-1290 through 118-1295.

F. The Business No. 1 Zone shall not apply to buildings for which a zoning permit has been issued or Commission approval granted prior to November 1, 1991. Such buildings may be completed in accordance with plans filed with the Zoning Inspector or Commission prior to such date. [Amended effective 12-27-1991]

§ 118-522. Business No. 2 Zone. [Added effective 1-16-1987]

A. Purpose and intent. The purpose of this regulation is to permit retail stores, service shops, mixed-use development, artist workspace and other compatible uses at a scale appropriate to the commercial, employment and housing needs of this city. The area within this zone is intended to have infrastructure of sufficient capacity either prior to or coincident with permitted development. The provisions of this zone are designed to ensure that all permitted uses and structures will be compatible with each other and will provide protection to adjacent residential areas.

B. Uses and structures.

(1) Principal uses and structures. In a Business No. 2 Zone, premises shall be used and buildings shall be erected which are used, designed or intended to be used for one (1) or more of the following uses and no other. Any use or structure having a gross floor area of eight thousand (8,000) square feet or more or requiring twenty (20) parking spaces or more shall be permitted subject to the provisions of § 118-1451, Site plan review.

(a) All uses, including special permit uses, permitted in the D Residence Zone. [Amended effective 7-24-2015]

(b) Offices, including medical offices and contractor's offices. [Amended effective 1-26-2001; 9-25-2009]

(c) Banks and financial institutions.

(d) Hotels and motels.

(e) Retail stores and personal and business service shops having a gross floor area of less than twenty-five thousand (25,000) square feet. [Amended eff 8-28-1998]

(f) Restaurants and taverns.

(g) Theaters and auditoriums.

(h) Lodge, meeting and concert halls, including social clubs.

(i) Schools, including business and trade schools, and studios.

(j) Mixed-use development, subject to § 118-750.

(k) Research and development facilities.

(l) Museums.

- (m) Off-street parking facilities.
 - (n) The expansion of an existing manufacturing use, provided that the use has not been discontinued or abandoned for a continuous period of one (1) year or more, in which case a Special Permit shall be required. [Added effective 12-27-1991]
 - (o) Child day-care centers [Added effective 12-23-2011]
 - (p) Indoor contractor parking facility, subject to submittal of environmental impact statement certified by a licensed civil or environmental engineer. [Added effective 12-19-2014]
 - (q) **Brew Pub/Distillery** [Added effective 11-15-2019]
- (2) Special Permit uses and structures. The following uses shall be permitted by Special Permit in accordance with the provisions of Article 140, § 118-1450, Special Permits, and shall comply with the Schedule Limiting Height and Bulk of Buildings, Commercial and Industrial, and any additional standards set forth herein:
- (a) New manufacturing facilities, limited to the processing or assembly of goods which are not noxious due to emission of noise, pollutants or waste. [Amended effective 12-27-1991]
 - (b) Warehouse, **storage**, and wholesale distribution facilities, including package distribution facilities, **provided that any storage facility is located on a parcel a minimum of seven (7) acres in size and that such facility is located more than two hundred and fifty (250) feet from the centerline of Westport Avenue, Connecticut Avenue, Main Avenue or Main Street and further provided that any storage facility utilize the lesser of 125,000 square feet or 33% of the FAR for the entire site and further provided that a minimum of twenty percent (20%) of the site be placed in a conservation easement.** [Amended effective 4-29-2016; 7-26-2019]
 - (c) Gasoline stations and the sale and service of motor vehicles, subject to § 118-1010.
 - (d) Halfway houses, with no less than two hundred (200) square feet of living area per person. [Added effective 6-29-1990]
 - (e) Commercial recreation establishment. [Added effective 12-7-1990]
 - (f) The expansion of an existing contractor's storage yard, provided that the use has not been discontinued or abandoned for a continuous period of one (1) year or more. [Added effective 11-24-1995; amended effective 3-29-2013]
 - (g) Animal care centers, provided that the use is fully enclosed within a structure located on a lot a minimum of two (2) acres in size, that the structure is located a minimum of two hundred (200) feet from a residential structure as certified by a licensed surveyor and that adequate provisions are made to control noise and odors emanating from the facility, subject to approval by the Zoning Commission. [Added effective 3-29-1996]
 - (h) Extended stay hotels, subject to a minimum lot size of four (4) acres or more in size. [Added effective 8-29-1997]
 - (i) Retail stores and personal and business service shops having a gross floor area of twenty-five thousand (25,000) square feet or more. [Added effective 8-28-1998]

- (j) Helicopter landing sites, as an accessory use to a principal permitted use, subject to special permit review and to the following restrictions: the landing site shall be a minimum of 300 feet from a residence zone and flight operations shall be restricted to the hours of 7:00 am to 7:00 pm only. [Added eff. 9-28-2001]
 - (k) Electric power generator, as defined herein, subject to Section 118-830(B). [Added effective 1-26-2007]
 - (l) Artist workspace, up to a maximum of twenty (20%) percent of the existing gross floor area. [Added effective 3-1-2013]
 - (m) Contractor's storage yard located on a parcel a minimum of two (2) acres in size that abuts a limited access highway and that the site does not abut an existing multifamily development in the Business No. 2 Zone. [Added effective 2-26-2016]
- (3) Uses which are not otherwise permitted in Subsection B(1) and (2) above shall not be permitted by variance in the Business No. 2 Zone.
- (4) Accessory uses and structures. Accessory uses and structures which are incidental to and customarily associated with the principal use of the premises shall be permitted subject to the following restrictions:
- (a) Outdoor storage shall be confined to the rear and side yards only and shall be effectively screened from adjacent properties. Outdoor refuse collection and recycling receptacles shall be located behind the front setback and shall be screened from public view and from adjacent properties with a six (6) foot high fenced enclosure or year-round landscaped screening, subject to zoning inspector approval. [Amended effective 7-29-2011]
 - (b) Commercial communication antennas are permitted as an accessory use when located on an existing building or structure, subject to the height limitation of that zone, except that antennas mounted on existing buildings which meet or exceed the height limitation of that zone, may extend above the existing building height by no more than 15 feet. In addition, the color of the building shall be incorporated into the design of the antenna. [Added effective 12-20-1996]
 - (c) Ingress or egress awning or canopy for hospitals, nursing homes, congregate housing, medical offices and similar facilities, subject to Section 118-810(I). [Added effective 9-24-2010]
 - (d) Where permitted by the Commission, entertainment in the form of live music shall be permitted as accessory to a restaurant use provided that all windows and doors shall remain closed while the entertainment is underway, except for the normal passage of people into and out of the premises [Added eff. 9-30-2011]
 - (e) All rooftop mechanical equipment, including all heating, ventilation and air conditioning (HVAC) units, shall be setback a minimum of ten (10) feet from the edge of the roof and fully screened with architecturally compatible screening. [Amended effective 9-26-2014]
- C. Lot and building requirements. See the Schedule Limiting Height and Bulk of Buildings, Commercial and Industrial, and all other applicable sections of these regulations, and in addition:
- (1) Multifamily dwellings shall require one thousand six hundred fifty (1,650) square feet of lot area per dwelling unit. [Amended effective 12-30-1988]

- (2) A minimum building height shall apply only to uses enumerated in subsection B(1) a. - j. and B(2) e., g. - i.; except that firehouses shall be exempt from minimum building height requirements and buildings with a retail floor area of eighty thousand (80,000) square feet or more located on a property that is no more than eight-tenths (.8) of a mile from an interstate highway exit or entrance ramp shall be exempt from minimum building height requirements. Ancillary portions of buildings less than the required height shall be permitted, provided that such portions do not exceed five percent (5%) of the gross floor area. On parcels five (5) acres or larger in size, a maximum building height of four (4) stories and fifty (50) feet shall be permitted. [Added effective 12-27-1991; amended effective 3-27-2009, effective 7-27-2012] EN49
- (3) Except where the abutting property is within a limited access highway or railroad right-of-way, any portion of a building within fifty (50) feet of an abutting residence zone shall not exceed three (3) stories and thirty-five feet in height. [Added effective 12-27-1991 EN50; amended 8-30-2002]
- (4) Open space shall include natural and landscaped areas, pedestrian plazas, courtyards, walkways, recreation areas and the like. Open space on the roof of a structure shall be permitted, provided that the minimum open space requirement extends neither more than ten (10) feet nor more than and one (1) story above the center-line elevation of the street.
- (5) Environmental impact statement for indoor contractor parking facilities. No use shall be allowed that is noxious or offensive by reason of the emission of smoke, particulate matter, noise, dust, glare, fumes, odor, ionizing radiation, vibration, heat or any other pollutant or waste. A written assessment of the environmental impacts of the proposed uses shall accompany all applications for indoor contractor parking facilities and such statement shall be certified by a licensed civil or environmental engineer. [Added effective 12-19-2014]
- D. Off-street parking and loading requirements. See §§ 118-1200 through 118-1260, and in addition:
- (1) The principal use and structure of the property shall be located between the front yard and the street wall of a parking structure which is more than three (3) feet above the center-line elevation of the street, for a minimum of fifty percent (50%) of the length of the parking structure. This provision shall not be applicable to parking structures within a development park which parking structures are located more than one hundred and ten (110) feet from the center-line of the street (subject to § 118-1000B) and separated from the street by a wetland or watercourse. Any portion of a parking structure which is more than three (3) feet above the center-line elevation of the street and which extends to the front yard shall be effectively screened, except that any parking structures in existence at the time of adoption of this subsection are hereby declared to be in conformance with the requirements of this subsection, provided that if such structures are destroyed by fire, explosion, act of God or act of public enemy to an extent exceeding fifty percent (50%) of their assessed value, they may be reconstructed only if the height, bulk, location and use of the structure is substantially as it had previously existed, subject to approval by the Director of Planning and Zoning, except as modified to conform to the Flood Hazard Zone of these regulations. [Amended effective 5-27-1994; 11-24-1995; effective 12-20-1996]
- (2) Parking facilities and driveways shall not be closer than twenty (20) feet to a property line which abuts a residence zone.

- E. Sign regulations. See §§ 118-1290 through 118-1295.
- F. The Business No. 2 Zone shall not apply to buildings for which a zoning permit has been issued or Commission approval granted prior to November 1, 1991. Such buildings may be completed in accordance with plans filed with the Zoning Inspector or Commission prior to such date.
[Amended effective 12-27-1991]

§ 118-530. Rowayton Avenue Village District. [Added effective 12-19-1969; amended effective 9-25-1981; 9-13-1985; 1-16-1987; 9-11-1987; 6-27-2003; 4-29-2005; 7-25-2008]

- A. Purpose and intent. The purpose of this zone is to protect and enhance the unique character of neighborhood commercial areas which are located adjacent to the waterfront and to ensure that the unique character of this district is maintained for future generations in accordance with Connecticut General Statutes Section 8-2j Village districts. It is intended that this zone will encourage water-dependent uses while at the same time permitting commercial and other uses which fulfill a neighborhood need. It is further intended that all uses and structures be compatible with one another and with the established character of the Rowayton Avenue Village District. Development shall be in a manner consistent with the goals and policies of the Coastal Management Act, EN51 and public access to and along the waterfront, including visual access, shall be retained or provided.
- B. Uses and structures. This district is located entirely within the coastal boundary and, as such, all uses and structures, unless exempt, shall comply with the coastal site plan review requirements in Article 111, § 118-1110, herein. All uses and structures located on parcels abutting navigable waters shall retain existing water-dependent uses, to the maximum extent practicable; new water-dependent uses are strongly encouraged.
 - (1) Principal uses and structures. In the Rowayton Avenue Village District, premises shall be used and buildings shall be erected which are used, designed or intended to be used for one (1) or more of the following uses and no others:
 - (a) Single- and two-family dwellings.
 - (b) Multifamily dwellings.
 - (c) Retail stores and personal and business service establishments.
 - (d) Offices, including medical offices. [Amended effective 9-25-2009]
 - (e) Banks and financial institutions, excluding drive-in facilities.
 - (f) Restaurants, excluding drive-in facilities, and taverns.
 - (g) Marinas including the sale, repair and servicing of boats, a sail loft, ship chandlery, rental of boats and marine equipment and boat storage.
 - (h) Commercial fishing and boating facilities.
 - (i) Parks and playgrounds and community centers.
 - (j) Municipal public parking.
 - (2) Special Permit uses and structures. The following uses shall be permitted by Special Permit in accordance with the provisions of Article 140, § 118-1450, Special Permits, and shall comply with the Schedule Limiting Height and Bulk of Buildings, Commercial and Industrial, and any additional standards set forth herein:
 - (a) Public utility supply or storage facilities.

- (b) Fire stations.
- (c) Waterfront clubs.

(3) Accessory uses and structures. Accessory uses and structures which are incidental to and customarily associated with the principal use of the premises shall be permitted.

- (a) Ingress or egress awning or canopy for hospitals, nursing homes, congregate housing, medical offices and similar facilities, subject to Section 118-810(I). [Added effective 9-24-2010]
- (b) Outdoor refuse collection and recycling receptacles shall be located behind the front setback and shall be screened from public view and from adjacent properties with a six (6) foot high fenced enclosure or year-round landscaped screening, subject to zoning inspector approval. [Amended effective 7-29-2011]
- (c) Where permitted by the Commission, entertainment in the form of live music shall be permitted as accessory to a restaurant use provided that all windows and doors shall remain closed while the entertainment is underway, except for the normal passage of people into and out of the premises [Added eff. 9-30-2011]
- (d) All rooftop mechanical equipment, including all heating, ventilation and air conditioning (HVAC) units, shall be setback a minimum of ten (10) feet from the edge of the roof and fully screened with architecturally compatible screening. [Amended effective 9-26-2014]

(4) Uses which are not permitted in Subsection B(1) and (2) above shall not be permitted by variance in the Rowayton Avenue Village District.

C. Lot and building requirements. See the Schedule Limiting Height and Bulk of Buildings, Commercial and Industrial, and all other applicable sections of these regulations and in addition:

(1) The height, bulk, location and use of all buildings in existence at the time of adoption of this section are hereby declared to be in conformance with the requirements of this section, provided that if such buildings are destroyed by fire, explosion, act of God or act of public enemy to an extent exceeding fifty percent (50%) of their assessed value, they may be reconstructed only if the height, bulk, location and use of the building is exactly as it had previously existed, except as modified where necessary to conform with the flood hazard zone and coastal area management provisions of these regulations. The owners of such properties shall document, by an A-2 Survey or other means, the height, bulk, location and use of the building as it had previously existed.

(2) Village District Review Standards

- (a) The Commission shall hire a Village District Consultant, who shall be an architect, landscape architect or certified planner, with pertinent experience, to review the design of new construction and substantial rehabilitation of all properties within the district. The report of such consultant shall be entered into the public hearing record and considered by the Commission in making its decision.

- (b) Criteria: New construction and substantial rehabilitation to existing structures, including those listed on the Norwalk Historic Resources Inventory, shall be harmoniously related to their surroundings and shall be consistent with the Connecticut Historical Commission - Secretary of the Interior's Standards for Rehabilitation, as applicable. All such development shall be consistent with the criteria defined in the Connecticut General Statutes section 8-2j Village Districts, including but not limited to the following criteria, subject to final review and approval by the Commission:
- (1) Building Design, Scale & compatibility: The color, size, height, location, proportion of openings, roof treatments, building materials, and any proposed signs and lighting shall be consistent with the local architectural motif and with the unique elements of the district, including maintenance of historic buildings, monuments and landscaping. The removal or disruption of historic or significant structures or architectural elements shall be minimized.
 - (2) Streetscape Standards & Landscaping: All spaces, structures and related site improvements visible from public roadways shall be designed to be consistent with the elements of the district in and around the proposed modification. [Added effective 6-27-2003]
 - (3) Single- and two-family dwellings shall comply with the Schedule Limiting Height and Bulk of Buildings, Residential.
 - (4) Multifamily dwellings shall not exceed a density of one (1) unit per one thousand six hundred fifty (1,650) square feet of lot area and shall comply with the Schedule Limiting Height and Bulk of Buildings, Commercial and Industrial.
 - (5) Properties located on the waterfront shall provide public access adjacent to the water, which shall be a minimum of fifteen (15) feet in width, and Access from the street to the water, subject to Commission approval. Such public accessways shall be in the form of landscaped walks, esplanades, boardwalks or piers, of suitable design to encourage active use by the public, and shall be dedicated as such in the deed to the property. Reasonable time of day restrictions may be established regarding such accessways, where justified for reasons of security or public safety. Where the principal use of the property is a single or two-family dwelling, the public access requirement shall not apply. An infringement on the fifteen (15) foot wide access may be granted where the Commission finds that: 1) the integrity of the access is maintained; 2) a fee in the amount of one hundred and fifty dollars (\$150) for each square foot of encroachment is paid to be utilized for designated public recreational facilities in the district; and 3) where an improved five (5) foot wide walkway from the street to the waterfront is provided; subject to approval by the Commission. [Added effective 6-27-2003; amended effective 7-25-2008]
 - (6) Historically significant buildings constructed on or before 1900, said year to be determined by the records of the Office of the Tax Assessor of the City of Norwalk, are hereby declared to be in compliance with the height and bulk requirements of this section. Modifications and additions to such buildings shall conform to and be compliant with the height and bulk requirements of this section and the Village District Review Standards. However, the Zoning Commission may, upon written request, waive up to thirty (30%) percent of the height and bulk requirements for modifications and additions to such buildings, where it is determined that such

waiver(s) would assist in the preservation and reuse of historic structures, and compliance with the Village District Design Guidelines. [Added effective 4-29-2005]

- (7) Multifamily residential buildings on waterfront lots shall be permitted to increase the allowable floor area ratio (FAR) by ten percent (10%) provided that all of the required parking is concealed within the building, a minimum of fifteen percent (15%) of the total site area is dedicated to public waterfront access and a twenty five (25) foot wide unobstructed public view corridor from the street to the water is provided; subject to approval by the Commission.[Added effective 7-25-2008]
- (8) For structures located in a flood zone, an additional story of a multifamily building devoted entirely to parking shall be permitted and shall not constitute a full story where the ceiling is more than three (3) feet above the average elevation of the finished grade of the street facade, provided that the building does not exceed thirty five (35) feet in height. [Added effective 7-25-2008]

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

E. Signs. See §§ 118-1290 through 118-1295.

§ 118-531. Silvermine Tavern Village District. [Added eff. 6-27-2008, amended eff. 2-28-2014]

A. Purpose and intent. It is the purpose of this zone to ensure that the unique character of this district is maintained for future generations in accordance with Connecticut General Statutes Section 8-2j Village Districts and to provide for the existing uses and structures to be maintained, including inns, restaurants, country stores and other compatible uses which will meet existing and future needs within the district; including cluster housing and related accessory uses which complement the village district character of the site. The provisions of this zone are intended to preserve and enhance the character of the Silvermine Tavern Village District by encouraging the preservation of existing buildings of unique historical and architectural value and assuring that any new structures and uses will be in keeping with the established character of the area. The district is also intended to preserve public access to and along the waterfront including visual access, which shall be retained or provided as part of all new development. [Amended effective 2-28-2014]

B. Uses and structures.

- (1) Principal uses and structures. Premises and buildings shall be used only as defined in Subsection B(2), except that the zoning district in existence prior to the amendment of the Zoning Map establishing this zone, the use of premises and buildings shall be permitted in accordance with the requirements of such prior district.
- (2) Village District uses and structures. In the Silvermine Tavern Village District, premises shall be used and buildings shall be erected which are used, designed or intended to be used for one (1) or more of the following uses and no others. The following uses shall be permitted by Special Permit in a Silvermine Tavern Village District in accordance with the provisions of Article 140, Section 118-1450 Special Permit, and shall comply with the Schedule Limiting Height and Bulk of Buildings, Commercial and Industrial, and with any additional Village District standards set forth herein:

- a) Retail stores in an existing structure a minimum of 80 years old and up to three (3) multifamily dwelling units or four (4) inn rooms (store built 1920) [Amended effective 2-28-2014]
 - b) Hotels and inns in an existing structure a minimum of 100 years old with additions up to 50 yrs old (inn built 1790 & mill in 1800)
 - c) Restaurants in an existing structure a minimum of 100 years old and a minimum of ten thousand (10,000) square feet, except that no drive-in or take-out restaurants shall be permitted.
 - d) Off street parking providing parking for one of above uses.
 - e) Clustered single family dwellings, a maximum of four (4) new dwellings and one (1) dwelling unit in an existing structure with a separate guest house, on a minimum of three (3.0) acres. New clustered dwellings shall not exceed a maximum of four thousand four hundred (4,400) square feet of gross floor area per unit including a minimum of one thousand one hundred and fifty (1,150) square feet of basement floor area, and shall not exceed one and one half (1 1/2) stories and a maximum height of thirty (30) feet to the peak of a pitched roof. [Added effective 2-28-2014]
- (3) Uses which are not otherwise permitted in Subsection B(1) and (2) above shall not be permitted by variance in the Silvermine Tavern Village District.
- (4) Accessory uses and structures. Accessory uses and structures which are incidental to and customarily associated with the principal use of the premises shall be permitted and subject to the following restrictions:
- a) Guest rooms, meeting rooms, and accessory office uses shall be permitted within a structure located on a separate lot as accessory to a principal use except that no outdoor music shall be permitted. Meeting rooms shall be limited to the first floor.
 - b) Artist studios and spas shall be permitted as an accessory use within the district.
 - c) Farmers markets shall be permitted within the district on a seasonal basis.
 - d) Parking shall be permitted within an existing barn a minimum of 60 years old.
 - e) Fences and landscape shall be located to so as not to obstruct views of the river from the street or public right of way.
 - f) Common accessory uses and structures associated with residential dwellings, including sheds, decks and the like, shall be permitted as accessory to a single family residence subject to accessory structure setback requirements of the underlying residence zone. [Added effective 2-28-2014]
 - g) All rooftop mechanical equipment, including all heating, ventilation and air conditioning (HVAC) units, shall be setback a minimum of ten (10) feet from the edge of the roof and fully screened with architecturally compatible screening. [Amended effective 9-26-2014]

C. Village District Review Standards: All uses and structures located in the Silvermine Tavern Village District shall be subject to design review in accordance with the following standards:

- (1) The Commission shall hire a Village District Consultant, who shall be an architect, landscape architect or certified planner, with pertinent experience, which may include historic preservation, to review the design of new construction and substantial rehabilitation of all properties within the district. The report of such consultant shall be entered into the public hearing record and considered by the Commission in making its decision.
- (2) Criteria: New construction and substantial rehabilitation of existing structures, including those listed on the Norwalk Historic Resources Inventory, shall be harmoniously related to their surroundings and shall be consistent with the Connecticut Commission on Culture and Tourism - Secretary of the Interior's Standards for Rehabilitation, as applicable. All applications shall demonstrate how such development is consistent with the criteria defined in Connecticut General Statutes Section 8-2j Village Districts, including but not limited to the following criteria, subject to final review and approval by the Commission:

(a) **Building Design, Scale & compatibility:** The color, size, height, location, proportion of openings, roof treatments, building materials, and any proposed signs, accessory structures and lighting shall be consistent with the local architectural motif and with the unique elements of the district, including maintenance of historic buildings, monuments and landscape. The removal or disruption of historic or significant structures or architectural elements shall be minimized.

(b) **Streetscape Standards & Landscape:** All spaces, structures and related site improvements visible from public roadways shall be designed to be consistent with the elements of the district in and around the proposed modification. All utilities and loading areas shall be designed to limit their exposure to the street and to adjacent residential properties.

D. Lot and building requirements. See the Schedule Limiting Height and Bulk of Buildings - Commercial and Industrial and all other applicable sections of these regulations, and in addition:

- (1) The height, bulk, location and use of all buildings in existence at the time of adoption of this section are hereby declared to be in conformance with the requirements of this section, provided that if such buildings are destroyed by fire, explosion, act of God or act of public enemy to an extent exceeding fifty percent (50%) of their assessed value, they may be reconstructed only if the height, bulk, location and use of the building is exactly as it had previously existed, except as modified where necessary to conform with the flood hazard zone provisions of these regulations. The owners of such properties shall document, by an A-2 Survey or other means, the height, bulk, location and use of the building as it had previously existed.

(2) Additional standards for Silvermine Tavern Village District development:

- (a) All Village District principal uses shall be located within an existing historic structure(s), except as noted below, located on a lot or lots maintained in single ownership and comprising a minimum area of three (3) acres or more. Said lot(s) may include land area located on parcels separated by public streets and include land area partially covered by water; and
- (b) In addition to the single family residences permitted in subsection B(2)(e), a new barn structure up to a maximum of two thousand (2,000) square feet that will replace an existing barn structure to be removed; and additions to existing structures, up to a maximum gross floor area of one thousand (1,000) square feet total for all existing buildings. Such work on additions shall be allowed only if required by codes and ordinances of the City or ordered by any City official charged with protecting the health safety and public welfare. The new barn structure shall be permitted subject to the following criteria:
 - 1. The front façade of such structure[[s]] shall be located no closer than fifteen (15) feet and no more than twenty-five (25) feet from the front property line with entry doors facing the street, and shall not exceed fifty (50) feet in depth; and
 - 2. The length of the new structure shall occupy a minimum of fifty (50) feet at the front setback line; and
 - 3. The new structure shall be a maximum of thirty-five (35) in height to the peak; and
 - 4. All required parking shall be adequately screened with a fifteen (15) foot landscaped buffer strip along the street, with no garage openings directly facing the street.
 - 5. Porches, porticos and a valet parking booth shall be permitted and are exempt from the above limits on lot width and gross floor area. [Amended eff. 2-28-2014]

(3) Single-family dwellings located in the Silvermine Tavern Village District shall comply with the Schedule Limiting Height and Bulk of Buildings, Residential Part I for the former underlying residence zone, either A or AA Residence zone.

(4) Public access: Properties located on the Silvermine River shall provide public access adjacent to the water, which shall be a minimum of one hundred (100) linear feet of riverfront, may provide seating areas accessible to the public and may provide access from the street to the water, subject to Commission approval. Such public accessways may be in the form of landscaped walks and footpaths of suitable design to encourage active use by the public, and shall be dedicated as such in the deed to the property. Reasonable time of day restrictions may be established regarding such accessways, where justified for reasons of security or public safety. Where the principal use of the property is a single-family dwelling, the public access requirement shall not apply.

E. Off-street parking and loading requirements. See §§ 118-1200 through 118-1260 except that:

- (1) Off street parking facilities shall be provided on the same lot where the use occurs or on an adjacent lot located within six hundred (600) feet measured along adjacent streets. All such off-premises parking sites shall be subject to approval by the Zoning Inspector for accessibility, safety, convenience and ready identification. An instrument (deed restriction), approved by the Zoning Inspector, which dedicates the use of such off-premises parking site shall be recorded in the Norwalk land records.
- (2) All new parking areas shall be designed to provide a landscaped year round buffer on all sides abutting residentially zoned properties in accordance with setbacks shown on Village District map and shall be designed with pervious surfaces. Drop off areas between buildings and the street shall not require a setback and shall be designed with articulated paving materials (i.e.: belgian block, brick pavers, cobblestones and the like). Up to six (6) parking spaces for use by the inn and located behind the front setback on the inn property may utilize a drop off area for backing out of such parking spaces; provided that no parking shall be permitted in the drop off area. [Amended eff. 2-28-2014]
- (3) Parking requirements may be reduced with a valet parking credit of up to twenty five percent (25 %) and tandem spaces may be utilized for valet parking. Valet parking shall be limited to parcels a minimum of one (1) acre in size and shall require that a detailed parking plan be submitted, subject to review and approval by the Commission. The Commission may require that a bond be posted to guarantee that there will be no impacts due to the valet parking plan and may require that police officers be hired to manage traffic during special events.
- (4) All new outdoor dining facilities shall be subject to annual renewal of required zoning permits. Outdoor dining facilities shall be exempt from off street parking requirements for new structures with meeting rooms from April first to November first subject to annual renewal of a zoning permit.

F. Sign regulations. See §§ 118-1290 through 118-1295.

§ 118-532. Golden Hill Village District. [Added effective 1-29-2010]

A. Purpose and intent. It is the purpose of this zone to ensure that the unique character of this district is maintained for future generations in accordance with Connecticut General Statutes Section 8-2j Village Districts and to provide areas primarily for small scale retail, office, multifamily and other compatible uses which will meet existing and future needs within the district. The provisions of this zone are intended to preserve and enhance the character of the Golden Hill Village District by encouraging new development which maintains the neighborhood character of this local shopping district and by assuring that all new structures and uses will be in keeping with the established character of the area.

B. Uses and structures.

(1) Principal uses and structures. In a Golden Hill Village District, premises shall be used and buildings shall be erected which are used, designed or intended to be used for one (1) or more of the following uses and no other. Any use or structure having a gross floor area of five thousand (5,000) square feet or more or requiring fifteen (15) parking spaces or more shall be permitted subject to the provisions of Section 118-1451, Site plan review.

- (a) Single- and two-family dwellings.
 - (b) Retail stores and personal and business service establishments having a gross floor area of no more than eight thousand (8,000) square feet.
 - (c) Banks and financial institutions.
 - (d) Restaurants (excluding taverns and drive-in facilities) having a gross floor area of fewer than two thousand five hundred (2,500) square feet, including outdoor dining.
 - (e) Parks, playgrounds and community centers.
 - (f) Museums and libraries.
 - (g) Municipal off-street public parking facilities.
 - (h) Municipal motor vehicle repair facilities as part of a municipal off-street public parking facility.
 - (i) Places of worship. [Added effective 7-24-2015]
- (2) The following uses shall be permitted only above the first floor:
- (a) Multifamily dwellings, including elderly and congregate housing.
 - (b) Offices.
- (3) Special Permit uses and structures. The following uses shall be permitted by Special Permit in accordance with the provisions of Section 118-1450, Special Permits, and shall comply with the Schedule Limiting Height and Bulk of Buildings, Commercial and Industrial, and any additional standards set forth herein:
- (a) Restaurants (excluding taverns and drive-in facilities) having a gross floor area of two thousand five hundred (2,500) square feet or more.
 - (b) Public utility supply or storage facilities.
 - (c) Boarding and rooming houses and group homes.
 - (d) Convalescent and nursing homes.
- (4) Uses which are not otherwise permitted in Subsection B (1), (2) and (3) above shall not be permitted by variance in the Golden Hill Village District.
- (5) Accessory uses and structures. Accessory uses and structures which are incidental to and customarily associated with the principal use of the premises shall be permitted subject to the following conditions:
- (a) Outdoor storage shall be confined to the rear and side yards only and shall be effectively screened from adjacent properties. Outdoor refuse collection and recycling receptacles shall be located behind the front setback and shall be screened from public view and from adjacent properties with a six (6) foot high fenced enclosure or year-round landscaped screening, subject to zoning inspector approval. [Amended effective 7-29-2011]

(b) Where permitted by the Commission, entertainment in the form of live music shall be permitted as accessory to a restaurant use provided that all windows and doors shall remain closed while the entertainment is underway, except for the normal passage of people into and out of the premises [Added eff. 9-30-2011]

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

C. Village District Review Standards: All uses and structures located in the Golden Hill Village District shall be subject to design review in accordance with the following standards:

(1) The Commission shall hire a Village District Consultant, who shall be an architect, landscape architect or certified planner, with pertinent experience, to review the design of new construction and substantial rehabilitation of all properties within the district. The report of such consultant shall be entered into the public hearing record and considered by the Commission in making its decision.

(2) Criteria: New construction and substantial rehabilitation of existing structures shall be harmoniously related to their surroundings and shall be consistent with the character of the district and with Connecticut Historical Commission - Secretary of the Interior's Standards for Rehabilitation, as applicable. All applications shall demonstrate how such development is consistent with the criteria defined in Connecticut General Statutes Section 8-2j Village Districts, including but not limited to the following criteria, subject to final review and approval by the Commission:

(a) Building Design, Scale & compatibility: The color, size, height, location, proportion of openings, roof treatments, building materials, and any proposed signs, accessory structures and lighting shall be consistent with the local architectural motif and with the unique elements of the village district, including buildings, monuments, landscaping and adjacent historic buildings.

(b) Streetscape Standards & Landscaping: All spaces, structures and related site improvements visible from public roadways shall be designed to be consistent with the elements of the district in and around the proposed modification. All utilities and loading areas shall be designed to limit their exposure to the street and to adjacent residential properties.

D. Lot and building requirements. See the Schedule Limiting Height and Bulk of Buildings - Commercial and Industrial and all other applicable sections of these regulations, and in addition:

(1) The height, bulk, location and use of all buildings in existence at the time of adoption of this section are hereby declared to be in conformance with the requirements of this section, provided that if such buildings are destroyed by fire, explosion, act of God or act of public enemy to an extent exceeding fifty percent (50%) of their assessed value, they may be reconstructed only if the

height, bulk, location and use of the building is substantially as it had previously existed, subject to approval by the Director of Planning and Zoning, except as modified where necessary to conform to the Flood Hazard Zone and coastal area management provisions of these regulations. The owners of such property shall document by A-2 Survey or other means the height, bulk, location and use of the building as it had previously existed.

(2) Single- and two-family dwellings shall comply with the Schedule Limiting Height and Bulk of Buildings, Residential: D Residence.

(3) Additional standards for Golden Hill Village District development:

(a) All properties shall provide a building or buildings along the street provided that:

- (1) All such building(s) shall be located no more than five (5) feet from the front property line with entry doors facing the street; and
- (2) All required parking shall be located behind such structure and adequately screened with a five (5) foot landscaped buffer strip, with no garage openings directly facing the street; and
- (3) Existing structures that do not comply with the above requirements are hereby declared to be in conformance with these regulations provided that such structures are maintained, rehabilitated, and integrated into the proposed development. An existing building without required parking may be demolished and reconstructed at the same size without losing nonconforming parking allowance provided that plans have been approved in advance of any demolition and that construction starts within one hundred and eighty (180) days of Commission approval. All such plans and building designs shall comply with the Village District Review Standards and the above additional standards.

E. Off-street parking and loading requirements. See Sections 118-1200 through 118-1260 except that:

(1) Parking facilities and driveways shall not be closer than twenty (20) feet to a property line which abuts a residence zone.

(2) The amount of off-street parking spaces required for two (2) or more different uses on the same premises shall be twenty-five percent (25%) less than the sum of the minimum number of parking spaces required for each use.

(3) Municipal off-street parking facilities may be utilized to meet required off-street parking requirements within the district provided that the location and design of such facilities meets appropriate standards for accessibility, safety, convenience and ready identification and the use of such off-premise parking site is approved in advance by the Commission; subject to the following condition:

(a) That for a period of three (3) years after a certificate of zoning compliance is issued for the use, the owner or proprietor shall purchase parking passes from the Norwalk Parking Authority to adjust for any shortfall in the total number of required parking spaces and shall deposit a sum equal to the total number of parking passes purchased for two (2) calendar years with the City. After the expiration of five (5) years, the

Commission shall waive the continued purchases of parking passes where the applicant has demonstrated to the satisfaction of the Commission that fewer parking spaces have been sufficient for such use.

(4) Traffic calming measures shall be encouraged including the provision of head in parking designed with distinctive pavers and with a five (5) foot sidewalk along the street, subject to review and approval by the Department of Public Works.

(5) Outdoor dining facilities shall be exempt from off street parking requirements from April first to November first subject to annual renewal of a zoning permit.

F. Sign regulations. See Sections 118-1290 through 118-1295.

Editor's Note 32: No halfway house, community residence or group home shall be constructed or located within one thousand (1,000) feet of another halfway house, community residence, group home or elderly social club. [Amended effective 6-29-1990]

Editor's Note 33: No halfway house, community residence or group home shall be constructed or located within one thousand (1,000) feet of another halfway house, community residence, group home or elderly social club. [Amended effective 6-29-1990]

Editor's Note 34: Former Subsection B(4)(a)[1] and [2], dealing with requirements in connection with Special Permit Uses, was voided by a Superior Court decision of 8-25-1983. The Planning and Zoning Commission authorized the renumbering of former Subsection B(4)(a)[3] as Subsection B(4)(a)[1].

Editor's Note 35: Former Subsection C(1) and (2), dealing with condition of buildings prior to demolition, was voided by a Superior Court decision 8-25-1983.

Editor's Note 36: Former Subsection C(1)(a)[3], which provided for the sale and service of motor vehicles as a principal use was repealed effective 9-25-1998. Said enactment also provided for the redesignation of former Subsection C(1)(a)[4] as Subsection C(1)(a)[3].

Editor's Note 37: Former Subsection C(1)(b)[4], which provided for gasoline stations and automobile service as accessory uses, was repealed effective 9-25-1998. Said enactment also provided for the redesignation for former Subsection C(1)(b)[5] as Subsection C(1)(b)[4].

Editor's Note 38: This enactment also provided for the redesignation of former Subsection C(2)(b)[1] and [2] as Subsection C(2)(b)[2] and [3], respectively.

Editor's Note 39: Former Subsection C(2)(d)[1], which provided regulations for parking spaces for dwelling units, was repealed effective 9-25-1998. Said enactment also provided for the redesignation of former Subsection C(2)(d)[2] as Subsection C(2)(d)[1].

Editor's Note 40: This amendment also provided for the renumbering of former Subsection C(4)(a)[3] as Subsection C(4)(a)[4].

Editor's Note 41: Former Subsection C(4)(d)[3], which immediately followed and provided for stalls for compact cars in shared parking areas, was repealed effective 5-26-2000.

Editor's Note 42: Former Subsection C(6), Subarea E-1, added effective 7-28-1989, as amended effective 6-30-1995 and 4-25-1997, which immediately followed, was repealed effective 9-25-1998.

Editor's Note 43: Former Subsection D, Sign regulations, was repealed effective 9-13-1985. For current provisions, see " 118-1290 through 118-1295.

Editor's Note 44: Former Subsection C(3) regarding applicability of building height requirements was repealed effective 11-25-1988 and reinstated effective 3-27-2009.

Editor's Note 45: Former Subsection C(1)(e), which listed terminals for freight or passengers arriving or departing by ship as a principal use, was repealed effective 5-1-1998. This enactment also provided for the redesignation of former Subsection C(1)(f) through (k) as Subsection C(1)(e) through (j) respectively. For current provisions, see Subsection C(2)(h).

Editor's Note 46: The Schedule is included at the end of this chapter.

Editor's Note 47: The Schedule is included at the end of this chapter.

Editor's Note 48: Former Subsection C(2) regarding applicability of building height requirements was repealed effective 11-25-1988 and reinstated effective 3-27-2009.

Editor's Note 49: Former Subsection C(2) regarding applicability of building height requirements was repealed effective 11-25-1988 and reinstated effective 3-27-2009.

Editor's Note 50: This amendment also provided for the renumbering of former Subsection C(3) as Subsection C(4).

Editor's Note 51: See C.G.S. 22a-90 et seq.

ARTICLE 60, Research and Development Zone

§ 118-600. Research and Development Zone. [Added eff 5-20-1957; amended eff 12-5-1973; 9-15-1975; 4-14-1977; 4-25-1980; 7-25-2003, 2-27-2009]

A. Purpose and intent.

- (1) It is declared that a need has developed in Norwalk for the provisions of a Research and Development Zone, to be known as an "R-D Zone," which cannot be provided within the scope of the present building zone regulations.
- (2) It is the purpose of this zone to permit a limited number of executive offices, research and development firms, and executive and management educational facilities for use by companies, corporations and organizations for their business use, subject to limitations set forth herein, for use by non-businesses for celebratory events, ceremonies and rituals which may or may not include music, food and liquor services and which will contribute to the economic base of the city and will constitute a harmonious and appropriate part of the physical development of the city. The provisions of this zone are intended to ensure that all permitted uses and structures will be compatible with and will provide protection to adjacent residential areas and will maintain the character of the neighborhood in which they are located. [Amended effective 7-25-2003, 2-27-2009]

B. Uses and structures.

- (1) Principal uses and structures. Premises and buildings shall be used only pursuant to Special Permit as defined in Subsection B(2), except that if the zoning district existing prior to the amendment of the Zoning Map establishing this zone was a residence zone, the use of premises and buildings shall be permitted in accordance with the requirements of such prior district.
- (2) Special Permit uses and structures. The following uses and structures and no others shall be permitted by Special Permit, in accordance with the provisions of Article 140, § 118-1450, Special Permits, and subject to the additional standards and limitations set forth herein:
 - (a) Office buildings for business and professional establishments other than those primarily providing services to customers or clients on the premises.
 - (b) Research and development facilities which involve no production or fabrication of products for sale. Notwithstanding the foregoing, the manufacture of limited quantities of products solely for research purposes may be permitted as specifically authorized by the Commission.
 - (c) Executive and management educational facilities for use by
 - (i) companies, corporations and organizations for executive or management educational training purposes, or meetings of their officers, directors, shareholders, members, and/or employees, provided that, during any one (1) calendar week, no more than twelve (12) companies, corporations or organizations shall utilize such facilities. [Amended effective 12-26-1986; 7

-26-1991; 1-28-1994; 7-25-2003]

- (ii) by entities or groups for non-business meetings, celebratory events, ceremonies and rituals (“Special Events”) which may or may not include music, food and liquor services limited as set forth in this Article 60. [Added effective 2-27-2009]

(3) Uses which are not permitted in Subsection B(1) and (2) above shall not be permitted by variance in a Research and Development Zone. [Added effective 4-24-1992 EN52]

(4) Additional standards for Special Permit uses.

(a) The uses permitted by Special Permit in the R-D Zone shall be subject to the following additional standards:

[1] Environmental impact. No use shall be allowed which would have an adverse effect upon adjacent properties by reason of the emission of smoke, particulate matter, noise, dust, glare, fumes, odor, ionizing radiation, vibration, heat or any other noxious pollutant or waste.

[2] Storage of materials. All materials stored on the premises shall be in completely enclosed structures.

[3] Sanitary facilities. Public sewer facilities shall be utilized and adequate provision for storm drainage shall be made as determined by the Commission.

[4] Location and access. Each parcel shall have direct access on an arterial or collector street, designated upon the Urban Systems Map, as amended, capable of providing safe and adequate access to the site.

[5] Density.

[a] Office buildings and research and development facilities. The maximum number of employees permitted on each lot shall not exceed twenty-five (25) per acre or fraction thereof.

[b] Executive and management educational facilities.

(i) The maximum number of executives or management persons undergoing educational training or attending business meetings and dinners (collectively “Core Business Activities”) at any one time together with supporting staff persons shall not exceed a combined total of six (6) per acre or fraction thereof. [Amended effective 7-25-2003; 2-27-2009]

(ii) The maximum number of individuals attending Special Events and utilizing overnight accommodations in connection therewith, plus the number of individuals described in subparagraph [i] above plus supporting staff persons shall not, combined at any one time,

exceed six (6) per acre or fraction thereof. [Added effective 2-27-2009]

[6] Hours of operation, other limitations.

[a] Office buildings and research and development facilities. Hours of operation shall be limited to between 7:00 a.m. and 7:00 p.m., except for maintenance purposes, data and communications processing and research and equipment requiring continuous operation or study.

[b] Executive and management educational facilities

(i) Hours of operation for Core Business Activities shall be limited to between 7:00 a.m. and 9:00 p.m., except for overnight lodging and boarding purposes, recreational activities and maintenance purposes.

(ii) For Special Events the following shall apply: [Added effective 2-27-2009]

(a) outdoor activities at any event shall be permitted for a period not exceeding two (2) hours and shall end no later than 9:00 p.m.

(b) except for a voice microphone on a patio, no outdoor amplification for voice, sound, music, light shows, fireworks or similar sounds shall be permitted at any time.

(c) except for covering patios, no tents or temporary structures are permitted.

(d) Special Events attended by 90 or more people shall:

1) be limited to 48 such events during any calendar year and to no more than two (2) such events during a weekend (Friday-Sunday) or three (3) such events during a weekend followed by a Monday holiday;

2) have a police officer or security person stationed at each entry/exit to a public road during the period one hour after the scheduled event.

3) be allowed on legal holidays on any day during the week (Monday-Thursday).

4) provide that music, food and liquor services terminate no later than 11:15 p.m. for those events taking place on a holiday, a Friday, a Saturday or a Sunday that precedes a Monday holiday and 10:00 p.m. on any other day with participants either retiring to their on-premises overnight accommodations or vacating the premises as soon thereafter as reasonable.

(e) Special Events attended by less than 90 people shall: 1) be allowed on any day including holidays and provide that music, food and liquor services terminate at the same times as set forth above for Special Events attended by 90 or more people, i.e. either 10:00 pm or 11:15 pm as the case may be.

(f) Annual Report. An annual report shall be filed by the owner of the premises within ninety (90) days of the end of a calendar year indicating the number of Special Events attended by 90 or more people occurring during the prior calendar year and the dates thereof.

[7] Illumination. Exterior illumination shall be controlled by design or screening so as not to intrude upon adjacent streets and properties.

[8] Existing buildings and structures. Buildings of historical or architectural significance which exist on the site shall be preserved and adapted for reuse in a manner which maintains the character of the building.

[9] Landscaping. All areas of a site not used for building, parking, walks and drives shall be suitably landscaped. New construction shall be designed and carried out in a manner which results in the least defacement to the existing landscape features of the site.

(b) Application for Special Permit shall include plans, drawings and other documentation which the Commission deems necessary for it to evaluate the standards for Special Permit listed under § 118-1450C and the additional standards set forth herein. The Commission may refer such applications to appropriate city agencies and departments for review and recommendations.

(5) Accessory uses and structures. Accessory uses and structures which are incidental to and customarily associated with the principal use of the premises shall be permitted subject to the setback requirements for the principal use and subject to the following restrictions:

(a) Office buildings and research and development facilities. Lodging shall be for the temporary accommodation of not more than ten (10) employees or visitors.

(b) Executive and management educational facilities. Lodging shall be for the temporary accommodation of not more than ten (10) employees or visitors and for the accommodation of not more than four (4) executive or management persons undergoing educational training or individuals attending Special Events for each acre or fraction thereof within the total site. [Amended effective 2-27-2009]

(c) Recreation facilities shall be for the exclusive use of employees and guests.

(d) Permanent living quarters may be provided solely for a managing director, assistant managing director, custodian, a caretaker or watchman and family of each named position.

C. Lots and building requirements. See Schedule of Commercial and Industrial Uses and all other applicable sections of these regulations. Notwithstanding the foregoing, no executive or management educational facility shall be located upon a lot of less than fifty (50) acres. [Amended effective 7-25-2003]

D. Off-street parking and loading requirements. See §§ 118-1200 through 118-1260 and, in addition:

(1) Off-street parking and loading facilities shall be located in accordance with the required building setback lines.

(2) Off-street parking and loading facilities and lights from exiting cars shall be effectively screened from view from adjacent streets and properties.

E. Sign regulations. See §§ 118-1290 through 118-1295. [Amended effective 6-28-1985; 9-13-1985]

Editor's Note 52: This enactment also provided for the renumbering of former Subsection B(3) and (4) as Subsection B(4) and (5), respectively.

ARTICLE 70, Use Regulations Controlling Industrial Zones

§ 118-700. Industrial Zone No. 1. [Amended effective 12-20-1944; 11-1-1962; 9-25-1981; 12-10-1982; 9-13-1985; 6-29-1990; 11-27-1991; 6-28-2002; 9-27-2002; 7-27-2012; 3-29-2013; 2-28-2014; 2-27-2015; 6-30-2017; 4-13-2018; 5-25-2018; 11-15-2019]

- A. Purpose and intent. The primary purpose of this zone is to provide areas which permit manufacturing and related uses, including warehouse, office, retail and single- and two-family housing. Heavy industrial uses would be allowed by Special Permit. The district is intended to provide low-scale industrial facilities interspersed with other uses and with the utilities and infrastructure necessary to support such industrial operations. The provisions of this zone are designed to recognize the need for manufacturing space while ensuring that these areas are compatible with adjacent residential neighborhoods and with the capacity of available infrastructure.
- B. Uses and structures.
- (1) Principal uses and structures. In an Industrial No. 1 Zone, premises shall be used and buildings shall be erected which are used, designed or intended to be used for one (1) or more of the following uses and no other. Any use or structure having a gross floor area of twenty thousand (20,000) square feet or more or requiring fifty (50) parking spaces or more shall be permitted, subject to the provisions of § 118-1451, Site plan review. Properties located within the coastal zone boundary, shall be subject to coastal site plan review and all other requirements of § 118-1110 herein.
- (a) Manufacture, processing or assembly of goods which are not noxious or offensive due to emission of noise, pollutants or waste.
 - (b) Warehouse, storage and wholesale distribution facilities, including package distribution facilities [Amended effective 4-29-2016]
 - (c) Transportation and bus storage terminals.
 - (d) Public utility supply and storage facilities.
 - (e) Building materials sale and storage yards, including contractor's storage yards. A contractor's storage yard located in the Industrial #1 zone may be used for the storage of empty containers and refuse collection receptacles that are exclusively used for the collection and disposal of construction debris in the construction trade, subject to the provisions of Section 118-1451 Site Plan Review where:
 - i. Said contractor's storage is located within one hundred (100) feet of an existing Solid Waste Transfer Station that has been approved by the Department of Energy and Environmental Protection (DEEP) or its predecessor the Department of Environmental Protection (DEP); and
 - ii. Neither the contractor's storage yard nor the Solid Waste Transfer Station are adjacent to residentially zoned property; and
 - iii. Neither the contractor's storage yard nor the Solid Waste Transfer Station are located within one thousand five hundred (1,500) feet of Interstate 95 (I-95). [Amended effective 6-30-2017]
 - (f) Offices, including medical offices, banks and financial institutions and contractor's offices. [Amended effective 1-26-2001; 5-29-2015]
 - (g) All principal uses permitted in the Marine Commercial Zone.

- (h) Retail stores, personal and business service establishments, including restaurants and taverns.
 - (i) Printing establishments.
 - (j) Municipal sewage treatment facilities.
 - (k) Research and development facilities.
 - (l) All uses, including special permit uses, permitted in the C Residence Zone. [Amended effective 1-26-2001; 7-24-2015]
 - (m) Off-street parking facilities.
 - (n) Oil or petroleum storage facilities of twenty thousand (20,000) gallons or less, propane gas storage of thirty thousand (30,000) gallons or less and natural gas storage of thirty thousand (30,000) cubic feet or less.
 - (o) Indoor contractor parking facility, subject to submittal of environmental impact statement certified by a licensed civil or environmental engineer. [Added effective 3-29-2013, amended effective 12-19-2014]
 - (p) **Brew Pub/Distillery** [Added effective 11-15-2019]
- (2) Special Permit uses and structures. The following uses shall be permitted by Special Permit in accordance with the provisions of § 118-1450, Special Permits, and shall comply with the Schedule Limiting Height and Bulk of Buildings, Commercial and Industrial, EN53 and any additional standards set forth herein:
- (a) Municipal utility plant or storage yard, as defined herein, oil and petroleum storage facilities of more than twenty thousand (20,000) gallons. [Added effective 9-27-2002]
 - (b) Gasoline stations and the sale and service of motor vehicles, subject to § 118-1010.
 - (c) Propane gas storage of more than thirty thousand (30,000) gallons and natural gas storage of more than thirty thousand (30,000) cubic feet, other than public utilities.
 - (d) Asphalt and concrete plants and recycling operations and rock crushing/processing facilities.
 - (e) Motor vehicle storage and junkyards.
 - (f) Solid waste transfer stations, recycling and composting centers and related facilities.
 - (g) Commercial recreation establishments.
 - (h) Hotels.
 - (i) Adult day care centers. [Added effective 8-31-2001]
 - (j) Helicopter landing sites, as an accessory use to a principal permitted use, subject to special permit review and to the following restrictions: the landing site shall be a minimum of 300 feet from a residence zone and flight operations shall be restricted to the hours of 7:00 am to 7:00 pm only. [Added effective 9-28-2001]

- (k) Animal care centers, provided that the use is fully enclosed within a structure located on a lot a minimum of two acres in size, that the location of the use is located a minimum of one hundred and eighty (180) feet from a residential use as certified by a licensed surveyor and that adequate provisions are made to control noise and odors emanating from the facility, subject to approval by the Zoning Commission. [Added effective 6-28-2002, amended effective 10-26-2012]
- (l) Multifamily dwellings, including mixed use developments, provided that: [Added eff. 7-27-2012; amended effective 10-24-2014; 2-27-2015; 4-13-2018; 5-25-2018]
 - (i) The subject property is located within the designated areas shown on the map entitled "Designated Properties for Transit Oriented Development at the East Norwalk Railroad Station"
 - (ii) Maximum height does not exceed 6 stories and **62** feet above base flood level; and
 - (iii) Residential **density** does not exceed 800 square feet of lot area per dwelling unit; and
 - (iv) A minimum of ten percent (10%) the total number of units shall comply with Section 118-1050 Workforce Housing Regulation; and
 - (v) There is a defined recreation area of not less than one hundred fifty (150) square feet per dwelling unit shall be provided and located with due concern for the safety and convenience of the residents for whose use it is intended
- (3) Uses which are not otherwise permitted in Subsection B(1) or (2) above shall not be permitted by variance in an Industrial No. 1 Zone.
- (4) Accessory uses and structures. Accessory uses and structures which are incidental to and customarily associated with the principal use of the premises shall be permitted subject to the following conditions:
 - (a) Outside storage as an accessory use shall be limited to a maximum height of twenty (20) feet, shall be limited in area to not more than twenty percent (20%) of the gross floor area of the principal structure, shall be confined to side and rear yards only and shall be effectively screened from view from adjacent properties.
 - (b) Testing and communications towers for research and development purposes to a maximum height of one hundred (100) feet. Testing towers may be attached to a building with the same maximum height restriction, provided that, if built on top of a building, the height of that building shall count in the calculation of the height of the tower. Towers shall not exceed length and width dimensions of sixty by sixty (60 x 60) feet.
 - (c) Commercial communication antennas are permitted as an accessory use when located on existing building or structure, subject to the height limitation of that zone, except that antennas mounted on existing buildings which meet or exceed the height limitation of that zone, may extend above the existing building height by no more than fifteen (15) feet. In addition, the color of the building shall be incorporated into the design of the antenna. [Added effective 4-25-1997]
 - (d) Municipal kennels are permitted as an accessory use when located on the same parcel as a municipal wastewater treatment plant, provided that the use is fully enclosed within a structure and that adequate provisions are made to control noise

and odors emanating from the facility, subject to approval by the Zoning Commission. [Added effective 12-18-1998]

(5) Additional standards for the Industrial No. 1 Zone.

- (a) Environmental impact. No use shall be allowed that is noxious or offensive by reason of the emission of smoke, particulate matter, noise, dust, glare, fumes, odor, ionizing radiation, vibration, heat or any other pollutant or waste. All industrial uses which may potentially emit such pollutants shall submit a written assessment of the environmental impacts of the proposed uses and a plan which demonstrates how the project will comply with local, state and federal environmental regulations.
- (b) Environmental impact statement for indoor contractor parking facilities. No use shall be allowed that is noxious or offensive by reason of the emission of smoke, particulate matter, noise, dust, glare, fumes, odor, ionizing radiation, vibration, heat or any other pollutant or waste. A written assessment of the environmental impacts of the proposed uses shall accompany all applications for indoor contractor parking facilities and such statement shall be certified by a licensed civil or environmental engineer. [Added effective 12-19-2014]
- (c) Sanitary facilities. Public sewer facilities shall be utilized and adequate provision for storm drainage shall be made as determined by the Commission.
- (d) Illumination and noise. Exterior illumination and noise shall be controlled by design or screening so as not to intrude upon adjacent streets and properties.

(6) All premises used as a junkyard or for storage of motor vehicles shall be maintained in strict accordance with the Regulation Concerning the Licensing of and Operation of Motor Vehicle Junk Yards, issued by the Commissioner of Motor Vehicles, State of Connecticut, as now in effect or as hereafter revised.

C. Lot and building requirements. See the Schedule Limiting Height and Bulk of Buildings, Commercial and Industrial, EN54 and all other applicable sections of these regulations, and in addition:

- (1) The area within required yards, except for vehicle and pedestrian accessways, shall be landscaped with lawns, trees and shrubs.
- (2) No side or rear yard shall be required where a lot abuts a railroad right-of-way.
- (3) Public access.
 - (a) New developments on lots adjacent to the inner harbor EN55 shall provide public access to the waterfront. Public accessways shall be an average of fifteen (15) feet in width and in the form of landscaped walks, boardwalks or piers designed to encourage active use by the public. Where access along the waterfront would, in the determination of the Commission, expose the public to hazardous conditions, the Commission may consider alternative forms of access to be provided. Reasonable time-of-day restrictions may be established regarding such public accessways where justified for reasons of security or public safety.
 - (b) Where the principal use of the property is a single- or two-family dwelling or a water-dependent use, the public access requirement shall not apply.

- (4) The height, bulk, location and use of all buildings in existence at the time of adoption of this section are hereby declared to be in conformance with the requirements of this section, provided that, if such buildings are destroyed by fire, explosion, act of God or act of public enemy to an extent exceeding fifty percent (50%) of their assessed value, they may be reconstructed only if the height, bulk, location and use of the building is substantially as it had previously existed, subject to approval by the Director of Planning and Zoning, except as modified where necessary to conform to the Flood Hazard Zone and coastal area management provisions of these regulations. The owners of such property shall document by A-2 Survey or other means the height, bulk, location and use of the building as it had previously existed.
- (5) Single- and two-family dwellings shall comply with the Schedule Limiting Height and Bulk of Buildings, Residential: C Residence.EN56
- (6) Existing structures that do not comply with the schedule of height and bulk requirements are hereby declared to be in conformance with these regulations provided that such structures are maintained, rehabilitated, and integrated into the proposed development. [Added effective 7-27-2012]

D. Off-street parking and loading requirements. See §§ 118-1200 through 118-1260, except that:

- (1) The principal use and structure shall be located between the street and all parking facilities. Underground parking facilities, the roofs of which are less than three (3) feet above the center-line elevation of the street, shall be exempt from this requirement. Above-ground parking facilities, proposed for properties located in the “Designated Properties for the Transit Oriented Development at South Norwalk Railroad Station” area, that are within the Industrial No. 1 Zone District and “Flood Zone AE,” where new construction for residential dwellings at street level would be at or below base flood level, may be exempt from this requirement subject to the Commission finding that suitable architectural enhancements are provided to mitigate the exemption. [Added effective 7-27-2012; amended effective 2- 28-2014]
- (2) Designated Properties for Transit-Oriented Development (TOD) at South Norwalk Railroad Station and the East Norwalk Railroad Station developed for residential use shall provide a minimum of one (1) parking space per studio dwelling unit, one (1) parking space per one (1) bedroom dwelling unit and two (2) parking spaces per two (2) bedroom or larger dwelling unit provided that the amount of parking spaces provided shall in no event be less than an average of 1.30 parking spaces per dwelling unit. [Added effective 10-24-2014; 4-13-2018]

E. Sign regulations. See §§ 118-1290 through 118-1295.

§ 118-710. Light Industrial Zone No. 2. [Added effective 7-24-1958; amended effective 11-9-1959; 9-15-1975; 2-28-2003, 5-2-2003, 12-23-2005, 2-26-2007]

A. [Amended effective 11-27-1991; 2-28-2003] All regulations applicable to Industrial Zone No. 1 shall be applicable to Light Industrial Zone No. 2 with the following exceptions or additions:

- (1) Principal uses and Structures. Except as hereinafter set forth, the only use permitted in Light Industrial Zone No. 2 is light industrial manufacturing. All other uses are prohibited, except as noted below
- (2) Special permit uses and structures. The following uses shall be permitted by special permit in accordance with the provisions of §118-1450, Special Permits, and shall

comply with the designated Schedule Limiting Height and Bulk of Buildings, Commercial & Industrial Part 1, unless otherwise stated, and the additional standards set forth herein: [Amended effective 12-23-2005]

- (a) Multifamily dwelling units in accordance with the Schedule Limiting Height and Bulk of Buildings, Residential Part 2 and, where applicable, the following requirements:
 - (1) Affordable multifamily residential developments: a minimum of ten percent (10%) of all units shall comply with the Connecticut General Statutes Affordable Housing Land Use Appeals Act regulations Section 8-30g-8 Maximum housing payment calculations.
- (b) Offices, up to a maximum floor area ratio (FAR) of 0.65. [Added effective 12-23-2005, Amended effective 2-26-2007]
- (c) Sports performance facilities, in accordance with the Schedule Limiting Height and Bulk of Buildings, Commercial and Industrial Part 1 and the following requirements:
 - (1) A sports performance facility is a use intended for personal physical development under supervised conditions, provided by scheduled visits pursuant to a training program with a specified number of sessions. No drop-in attendance shall be permitted.
 - (2) A sports performance facility may only be located within a structure in existence as of the effective date of this amendment and shall be limited to a maximum gross floor area of twenty-five thousand (25,000) square feet.
 - (3) The use shall be fully enclosed within a structure.

B. Uses which are not permitted in Subsection A above shall not be permitted by variance in a Light Industrial Zone No. 2. [Added effective 4-24-1992 EN58]

C. The minimum width of any driveway constructed in Light Industrial Zone No. 2 shall be twenty-six (26) feet. Where a subdivision occurs within a plot or area, the minimum of width of the road shall be sixty (60) feet.

D. All public water and sanitary facilities must be utilized if located within one thousand (1,000) feet of the area.

E. Any nonresidential use or structure, other than the special permit uses listed above, having a gross floor area of twenty thousand (20,000) square feet or more or requiring fifty (50) parking spaces or more shall be permitted subject to the provisions of § 118-1451, Site plan review. [Added effective 9-25-1981; Amended Effective 2-28-2003, 12-23-2005]

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

§ 118-711. Restricted Industrial Zone. [Added effective 10-16-1981; Amended effective 12-27-2002; 2-27-2004; 10-27-2006; 11-23-2007; 8-29-2008; 11-27-2009; 12-24-2010; 4-29-2016]

A. Purpose and intent. It is the purpose of this zone to provide areas exclusively for light industrial manufacturing uses and other compatible uses, including single- and multi-family residential uses with recreational facilities, on a parcel containing 25 acres or more, as well as limited areas of artist workspace, non-accessory office, college or university use, which will contribute to the economic base of the city and which will constitute a harmonious and appropriate part of the physical development of the city. This zone is designed to apply in areas suitable for industrial

development and where sufficient space, adequate transportation and compatible utilities are available. The provisions of these regulations are intended to encourage the efficient operation, continuation and expansion of industrial, research and development and office uses without encroachment from uses which are inappropriate and which could equally well be located elsewhere.[Amended effective 5-24-2002;12-27-2002; 10-27-2006]

B. Uses and structures.

- (1) Principal uses and structures. In a Restricted Industrial zone, premises shall be used and buildings shall be erected which are used, designed or intended to be used for one (1) or more of the following uses and no others, subject to the provisions of Section 118-1451, Site Plan Review:
 - (a) Manufacture, processing or assembly of goods.
 - (b) Research and development facilities.
 - (c) Public utility supply or storage facilities, including storage of motor vehicles on parcels owned by the City of Norwalk. [Amended effective 3-30-2001]
 - (d) Offices, including colleges or universities not to exceed 80,000 square feet, not accessory to principal uses under (a), (b) and (c) of this Section 118-711(B)(1), provided they are within an existing building in an Industrial Development Park and do not exceed sixty percent (60%) of the gross floor area of existing buildings in such Industrial Development Park. For the purposes of this section, the term "existing building(s)" is defined as "a building or buildings in existence or new buildings approved by the Zoning Commission on the adoption date* of this amended Section 118-711 (B)(1)." [Added effective 5-24-2002; Amended effective 12-27-2002; Amended effective 11-23-2007]
 - (e) Artist Workspace, up to a maximum of twenty (20%) percent of the existing gross floor area. [Added effective 10-27-2006]
- (2) Special Permit uses and structures. The following uses shall be permitted by Special Permit in accordance with the provisions of Article 140, § 118-1450, Special Permits, and shall comply with the Schedule Limiting Height and Bulk of Buildings -- Commercial and Industrial EN59 and the Schedule Limiting Height and Bulk of Buildings Residential and any additional standards set forth herein:
 - (a) Warehouses and wholesale distribution facilities.
 - (b) Oil or petroleum storage facilities.
 - (c) Helicopter landing sites, as an accessory use to a principal permitted use, subject to special permit review and to the following restrictions: the landing site shall be a minimum of 300 feet from a residence zone and flight operations shall be restricted to the hours of 7:00 am to 7:00 pm only. [Added effective 9-28-2001]
 - (d) Commercial recreation establishments. [Added effective 8-29-2008]
 - (e) Single- and multi-family dwellings with recreational facilities on a parcel containing twenty-five (25) acres or more in accordance with the Schedule Limiting Height and Bulk of Buildings, Restricted Industrial, Residential Part 2 at a density of 6,250 square feet of lot area per dwelling unit, provided ten percent (10%) of the total number of units are affordable in accordance with Section 1050 Workforce Housing Regulations and the Connecticut General Statutes Affordable

Housing Land Use Appeals Act regulations Section 8-30g-8 Maximum housing payment calculations. A parcel of land zoned Research and development, when combined with a parcel of land zoned Restricted Industrial, shall have its land mass added to the restricted industrial parcel for multi-family density purposes only. All single- and multi-family units shall be constructed on land zoned Restricted Industrial and no units shall be constructed on land zoned Research and development. [Added effective 11-27-2009]

- (f) Processing, assembly, preparation of passenger motor vehicles (including vehicle washing, installation/modification of vehicle features and other work incidental to the preparation of passenger motor vehicles), indoor and outdoor storage of passenger motor vehicles, and indoor storage of ancillary automotive parts and equipment. Such use(s) to occur in existing buildings and on lots not to exceed ten (10) acres both in existence as of the effective date of this regulation. No on-site motor vehicle repair, or retail or wholesale sales of motor vehicles or motor vehicle parts. [Added effective 12-24-2010]
 - (g) Expansion of an existing package distribution facility and provision of off-site parking facilities located on lots within five hundred (500') feet of such expanded package distribution facility and a minimum of one (1) acre in size, provided that the majority of all trucks associated with the facility are parked on the same site as the package distribution facility. [Added effective 4-29-2016]
- (3) Uses which are not otherwise permitted in Subsection B(1) or (2) above shall not be permitted by variance in a Restricted Industrial Zone.
- (4) Additional standards for the Restricted Industrial Zone. All uses permitted in the Restricted Industrial Zone shall be subject to the following additional standards:
- (a) Environmental impact. No use shall be allowed that is noxious or offensive by reason of the emission of smoke, particulate matter, noise, dust, glare, fumes, odor, ionizing radiation, vibration, heat or any other pollutant or waste. A written assessment of the environmental impact a use will have in each of the above areas shall accompany applications in the Restricted Industrial Zone.
 - (b) Sanitary facilities. Public sewer facilities shall be utilized, and adequate provision for storm drainage shall be made, as determined by the Commission.
 - (c) Illumination. Exterior illumination shall be controlled by design or screening so as not to intrude upon adjacent streets and properties.
 - (d) Storage of motor vehicles on parcels owned by the City of Norwalk: All such vehicles shall be located behind the required front, side and rear setbacks and shall be adequately screened from adjacent streets and properties with trees and shrubs, subject to approval by the commission.[Added effective 3-30-2001]
- (5) Accessory uses and structures. Accessory uses which are incidental to and customarily associated with the principal use of the premises shall be permitted, subject to the following restrictions:
- (a) Offices, including corporate offices related to business conducted off site, shall be permitted as accessory uses.
 - (b) Restaurants, cafeterias, clinics, commissary stores, recreational facilities and the like shall be for the exclusive use of employees and guests.

- (c) Retail sales of goods manufactured, warehoused or distributed on the premises shall be permitted as an accessory use, provided that the use is contained within the principal structure on the premises and is limited to no more than ten percent (10%) of the active floor area of the principal use, to a maximum of one thousand (1,000) square feet. [Added effective 3-26-1993 [EN60](#)]
 - (d) Living quarters may be provided solely for a caretaker or watchman and family.
 - (e) Outside storage shall be limited to materials and equipment used in on-site manufacturing, processing or assembly and to goods produced on site and awaiting shipment, provided that:
 - [1] Outside storage shall be limited to a maximum height of ten (10) feet, shall be limited in area to not more than twenty percent (20%) of the gross floor area of the principal structure and shall be confined to the rear and side yards only.
 - [2] Outside storage areas shall be effectively screened from view from adjacent properties.
 - (f) Testing towers are permitted as accessory structures for research and development purposes, to a maximum height of one hundred (100) feet. Testing towers may be attached to a building with the same maximum height restriction, provided that, if built on top of a building, the height of that building shall count in the calculation of the height of the tower. Towers shall not exceed length and width dimensions of sixty by sixty (60 x 60) feet. [Added effective 4-26-1991]
 - (g) Commercial communication antennas are permitted as an accessory use when located on an existing building or structure in an industrial development park, subject to the height limitation of the zone, except that antennas mounted on existing buildings which meet or exceed such height limitation, may extend above the existing building or existing smokestack height, by no more than fifteen feet (15'). In addition, the color of the building shall be incorporated into the design of the antenna. [Added effective 2-27-2004]
- C. Lot and building requirements. See the Schedule Limiting Height and Bulk of Buildings -- Commercial and Industrial [EN61](#) and the Schedule Limiting Height and Bulk of Buildings Residential and all other applicable sections of these regulations.
- (1) The area within required yards, except for vehicle and pedestrian accessways, shall be landscaped with lawns, trees and shrubs.
 - (2) No side yard or rear yard shall be required where a lot abuts a railroad right-of-way.
- D. Off-street parking and loading requirements. See §§ 118-1200 through 118-1260, **EXCEPT THAT:**
- (1) All off-premises parking [sites](#) shall be subject to approval by the Zoning Inspector for accessibility, safety, convenience and ready identification. A long-term instrument, approved by the Zoning Inspector, which dedicates the use of such off-premises parking site shall be recorded in the Norwalk land records. A “long-term instrument” shall be defined as a legal instrument including, but not limited to a lease or easement, having a term of not less than twenty (20) and which is filed in the Norwalk land records. The long term instrument may consist of a base term with a renewal option, provided [that the](#) total number of years identified in the instrument equals at least twenty (20) years. [At the conclusion of the 20 year period, the parking easement or lease shall be extended for another 20 year period or the](#)

permitted use shall be terminated, subject to the approval of the Zoning Inspector. [Added effective 4-29-2016]

E. Sign regulations. See §§ 118-1290 through 118-1295. [Amended effective 9-13-1985]
§ 118-720. (Reserved)[EN62](#)

Editor's Note 53: The Schedule is included at the end of this chapter.

Editor's Note 54: The Schedule is included at the end of this chapter.

Editor's Note 55: As defined on pages 100-101 of the Norwalk Harbor Management Plan, August 1990.

Editor's Note 56: The Schedule is included at the end of this chapter.

Editor's Note 57: Former Subsection A(2), (3) and (4), which immediately followed this subsection and which pertained to maximum building area, maximum height of structures and building setback lines, was repealed 7-30-1982.

Editor's Note 58: This enactment also provided for the renumbering of former Subsections B through E as Subsections C through F, respectively.

Editor's Note 59: Said Schedule is included at the end of this chapter.

Editor's Note 60: This enactment also provided for the renumbering of former Subsection B(5)(c) through (e) as Subsection B(5)(d) through (f), respectively.

Editor's Note 61: Said Schedule is included at the end of this chapter.

Editor's Note 62: Former ' 118-720, Heavy Industrial Zone, as amended, was repealed effective 12-27-1991.

ARTICLE 75, Mixed-Use Developments [Added effective 1-16-1987]

§ 118-750. Mixed-use developments.

A. Purpose and intent. The purpose of this regulation is to encourage multifamily dwellings and a diversity of compatible uses in the same building or on the same parcel of land. Mixed-use development permits the efficient use of land; places housing convenient to employment, shopping, services and related activities; and creates a market for and adds vitality to commercial areas. Further, mixed-use development tends to reduce traffic, increase pedestrian use and increase public safety. Due to the unique characteristics of mixed-use developments and the desire to create an attractive environment, these regulations are intended to be flexible to allow mixed-use developments to maximize their benefits to the city.

B. Regulations.

(1) Mixed-use developments shall be permitted by site plan review in accordance with the provisions of § 118-1451 and shall comply with the additional standards set forth herein:

(a) This regulation shall apply to mixed-use developments permitted in Executive Office, Business No. 1, Business No. 2, Zones and in the South Norwalk Business District. [Amended effective 10-1-1987; effective 6-28-1991; effective 11-27-1991]

(b) Mixed-use developments shall consist of multifamily dwellings and other compatible uses which are not noxious or offensive due to emissions of noise, pollutants or waste.

(2) The Commission may modify the lot and building requirements of this section up to a maximum of ten percent (10%) where it can be demonstrated that such modification will permit a mixed-use development to better achieve the purpose and intent of this section. A modification may be granted solely where the Commission determines that it will not adversely affect adjacent properties or the public health, safety and welfare.

(3) Open space shall include natural and landscaped areas, pedestrian plazas, courtyards, walkways, recreation areas and the like. Open space on the roof of a structure shall be permitted, provided that the minimum open space requirement extends neither more than ten (10) feet nor more than one (1) story above the center-line elevation of the street.

C. Additional standards.

(1) Mixed-use development shall comply with the following lot and building requirements:

ARTICLE 75 Mixed-Use Developments

- (a) Maximum height: commercial and industrial building, same as permitted in the Schedule for Commercial and Industrial Uses; residential building, in whole or in part, four (4) stories and forty-five (45) feet.
- (b) Minimum size of plot:
 - [1] Area: one thousand six hundred fifty (1,650) square feet per dwelling unit, twelve thousand five hundred (12,500) square feet minimum.
 - [2] Width: fifty (50) feet.
- (c) Yards, front, side and rear: same as permitted in Schedule for Commercial and Industrial Uses.
- (d) Maximum building area: forty percent (40%) building, eighty percent (80%) building and parking, twenty percent (20%) open space, subject to § 118-750B(3).
- (e) Recreation area: one hundred fifty (150) square feet per dwelling unit. Recreation area may include balconies, courtyards, indoor recreational facilities, landscaped roofs and outdoor recreation areas.
- (f) Maximum floor area ratio: same as permitted in the Schedule for Commercial and Industrial Uses.

(2) Off-street parking and loading. See §§ 118-1200 through 118-1260, except that:

- (a) Twenty percent (20%) of the parking required for the residential use may be met by the parking provided for the nonresidential use. However, where it can be sufficiently demonstrated to the satisfaction of the Commission that a nonresidential use occurs predominantly during the weekday and daytime hours, for example, offices, then up to fifty percent (50%) of the parking required for the residential use may be met by the parking provided for such nonresidential uses. A use which occurs predominantly during the weekday and daytime hours shall not be changed to a use which does not occur predominantly during the weekday and daytime hours.
- (b) The principal use and structure of the property shall be located between the front yard and the street wall of a parking structure which is more than three (3) feet above the center-line elevation of the street, for a minimum of fifty percent (50%) of the length of the parking structure. Any portion of a parking structure which is more than three (3) feet above the center-line elevation of the street and which extends to the front yard shall be effectively screened.

(3) Except where modified by this section, all other provisions of these regulations shall apply.

ARTICLE 76, EN63 Commercial Planned Residential Developments [Added effective 4-21-2000]

§ 118-760. Commercial planned residential developments.

- A. Purpose and intent. The purpose of this regulation is to encourage multifamily dwellings as an alternative to commercial development within the Executive Office Zone. Such multifamily dwellings are intended to increase Norwalk's housing supply and to help meet the housing needs of small households. Further, multifamily dwellings are intended to interrupt strip commercial development and to moderate traffic generation. This regulation is designed to create a suitable residential environment and to ensure compatibility with adjacent uses.
- B. Regulations for commercial planned residential development. Commercial planned residential development shall be permitted by special permit in accordance with the provisions of Article 140, § 118-1450, Special Permits, and shall comply with the additional standards set forth herein:
- (1) In commercial planned residential development, premises shall be used and buildings shall be erected which are used or intended to be used for multifamily dwellings.
 - (2) The entire commercial planned residential development shall be located in the Executive Office Zone in the City of Norwalk and no other.
- C. Additional standards for commercial planned residential developments. Commercial planned residential developments shall be subject to the following additional standards:
- (1) No main building shall be nearer to any other main building than 20 feet; provided, however, that if the overlapping wall of two main buildings is not greater than 10 feet, the distance between buildings at this point need not be greater than 10 feet.
 - (2) Recreation area may include balconies, courtyards, indoor recreational facilities, landscaped roofs and outdoor recreation areas. Open space and recreational facilities shall be dispersed in such a way as to ensure the health, safety and convenience of the residents for whose use it is intended.
 - (3) Open space shall include natural and landscaped areas, pedestrian plazas, courtyards, walkways, recreation areas and the like. Open space on the roof of a structure shall be permitted, provided that the minimum open space requirement extends neither more than 10 feet nor more than one story above the center-line elevation of the street.
 - (4) Pedestrian walkways, a minimum of three feet in width, shall be provided between buildings and between buildings and public highways so as to discourage the use of driveways for pedestrian use.
 - (5) Public sewer facilities shall be utilized, and adequate provision for storm drainage shall be made.

Article 76: Commercial Planned Residential Developments

- (6) Where provided, outdoor refuse areas or containers shall be screened from view from adjacent streets and properties.
- D. Accessory uses and structures. Accessory uses and structures which are incidental to and customarily associated with the principal use of the premises shall be permitted, subject to approval by the Commission.
- E. Lot and building requirements. See Schedule Limiting Height and Bulk of Buildings and size of lot, commercial and industrial uses and all other applicable sections of these regulations. (Note: Schedule revised effective 2-28-2014)
- F. Off-street parking and driveways.
- (1) See §§ 118-1200 through 118-1260; and
- (a) In addition, the principal use and structure of the property shall be located between the front yard and the street wall of a parking structure which is more than three feet above the center-line elevation of the street, for a minimum of 50% of the length of the parking structure. This provision shall not be applicable to parking structures which are located more than 110 feet from the center-line elevation of the street (subject to § 118-1000B) and separated from the street by a wetland or watercourse. Any portion of a parking structure which is more than three feet above the center-line elevation of the street and which extends to the front yard shall be effectively screened.
- G. Sign regulations. See §§ 118-1290 through 118-1295.

Editor's Note 63: Former Article 76, Commercial Planned Residential Developments, added effective 1-16-1987, was repealed effective 12-30-1988.

ARTICLE 80, General Regulations

§ 118-800. Nonconformities. [Amended effective 2-24-1989, 1-28-2005; 4-29-2005; 1-26-2007]

- A. Purpose and intent. There exists throughout Norwalk lawful lots, structures and uses of land and structures which are nonconforming because they do not comply with these regulations as originally adopted or subsequently amended. The purpose of this regulation is to permit nonconformities to continue, but to strictly limit the extent to which nonconformities may be established, continued, expanded or altered. This regulation is intended to bring nonconforming uses into conformity with the regulations as quickly as the fair interests of the parties will permit.
- B. General regulations.
- (1) A nonconforming lot, structure or use of land and structure which lawfully exists before the effective date of these regulations or amendments thereto may be continued, subject to the provisions of this section.
 - (2) A nonconforming lot, structure or use of land and structure shall be deemed to have existed before the effective date of these regulations or amendments thereto if:
 - (a) The parcel of land was recorded as a legal building lot in the Norwalk Land Records; or
 - (b) The use was in being on a continuous basis; or
 - (c) A zoning permit has been issued or Commission approval granted and work shall be completed according to such plans as approved.
 - (3) The presence of a nonconformity shall not, in itself, be considered grounds for the issuance of a variance for any other property.
 - (4) A use permitted in a zone by Special Permit, in accordance with the provisions of Article 140, § 118-1450, Special Permits, is deemed to be a conforming use in such zone.
 - (5) A nonconforming structure or structure devoted to a nonconforming use may have the following work performed:
 - (a) Ordinary repairs and repair or replacement of nonbearing walls, roofs, fixtures, wiring or plumbing.
 - (b) Any work required by the codes and ordinances of the city or ordered by any city official charged with protecting the public health, safety and welfare, provided that such work does not enlarge or extend the nonconformity.
 - (6) A nonconforming structure or a structure devoted to a nonconforming use which is destroyed by any means to the extent of more than fifty percent (50%) of its market value at the time of its destruction shall not thereafter be reconstructed except in conformance with these regulations.
 - (7) A nonconforming structure or a structure devoted to a nonconforming use which is destroyed by any means to the extent of fifty percent (50%) or less of its market value at the time of its destruction may be reconstructed, provided that such reconstruction commences within one (1) year from the date of destruction and is diligently prosecuted to completion within two (2) years from the date of destruction, and further provided that such reconstruction does not enlarge or extend the nonconformity.

C. Nonconforming uses.

- (1) A nonconforming use of land or structure shall not be enlarged, extended or altered unless the use is changed to one permitted in the zone in which it is located. No nonconforming use shall be extended or expanded by variance.
- (2) A nonconforming use which has been changed to a conforming use shall not thereafter be changed to a use not permitted in the zone in which it is located.
- (3) A nonconforming use shall not be moved to another part of the land or structure, unless as a result of the move the use is made to conform to these regulations.
- (4) A nonconforming use of land or structure may be changed to another nonconforming use:
 - (a) Provided that a Special Exception as per § 118-1410A(2)(e) is granted by the Zoning Board of Appeals upon a finding that:
 - [1] The proposed use is equally appropriate or more appropriate to the zone than the existing nonconforming use.
 - [2] The proposed use will have the same impact or a lesser impact upon the surrounding area than the existing nonconforming use.
 - (b) Provided that the cost of structural alterations to a structure changed to a new nonconforming use shall not exceed twenty-five percent (25%) of the assessed value of the existing structure.
- (5) A nonconforming use of land or structure which is discontinued or abandoned for a continuous period of one year shall thereafter be used in conformance with the zone in which it is located; except where the intent to continue such a nonconforming use of land or structure can be demonstrated to the satisfaction of the Zoning Board of Appeals, as permitted by § 118-1410A(2)(f). [Amended effective 5-26-2000]

D. Nonconforming structures.

- (1) A nonconforming structure shall not be enlarged or altered if the result would be an increase in the extent to which the structure does not conform to these regulations. A nonconforming structure may be enlarged or altered, provided that the enlargement or alteration conforms to these regulations. A change of use from a single family residence to a two family residence shall be permitted provided that any alteration conforms to these regulations, including off street parking requirements. [Amended effective 1-28-2005]
- (2) A nonconforming structure shall not be moved unless, as a result of the move, the structure is made to conform to these regulations.
- (3) Where a change of use would create new setbacks, any structure which lawfully existed before such change shall be rendered legally nonconforming, provided that the existing structure is effectively screened from adjacent properties, subject to the satisfaction of the Zoning Inspector. [Added effective 4-29-2005]

E. Nonconforming lots.

- (1) In any zone a parcel of land constituting a legal building lot which is recorded in the Norwalk Land Records before the effective date of these regulations or amendments

thereto, which does not conform to these regulations and which is in separate ownership from adjoining lots, may be improved in conformance with these regulations.

- (2) If two (2) or more adjoining parcels of land are in single ownership and are recorded in the Norwalk Land Records as separate legal building lots before the effective date of these regulations, or amendments thereto, and if one (1) or more of the lots do not conform to these regulations, then such lot or lots shall be considered to be an undivided parcel for the purpose of this regulation, and no portion of said parcel shall be used or sold so as to diminish conformance with these regulations, except as may be granted by Special Exception by the Zoning Board of Appeals.

§ 118-810. General provisions relative to area and height regulations. [Amended effective 7-15-1971; 12-5-1973; 7-27-2007]

- A. No existing building shall be altered, enlarged or rebuilt except in conformity with the regulations herein prescribed. Unless otherwise expressly provided, the terms "rear yard," "front yard," and "side yard," when used in these regulations, shall be deemed to refer only to a rear yard, front yard, or side yard, as required by these regulations. No lot on which a building is or shall be erected shall be reduced or diminished to less than the minimum size prescribed by these regulations or so that the yards, or other open spaces shall be smaller than prescribed by these regulations. [effective 5-26-2000]
- B. Reserved.
- C. One- and two-family dwellings in D Residence Zones shall be erected in conformity with the requirements of the C Residence Zones. One- and two-family dwellings in Neighborhood Business Zones, South Norwalk Business Districts and in Industrial Zones shall be erected in conformity with requirements of the C Residence Zones, except that the building need not be set back from the property line more than required to keep it thirty-five (35) feet from the center line of the street or streets on which the lot may abut or front. [Amended effective 7-30-1982; effective 1-16-1987; effective 10-1-1987; effective 11-29-1991; effective 5-26-2000]
- D. Where permitted, multifamily dwellings in business and executive office zones shall comply with the provisions of § 118-360, 118-750 or 118-760, unless otherwise provided for in these regulations. [Amended effective 12-29-1978; effective 1-16-1987; effective 3-2-1992 EN65]
- E. No building to be used as a dwelling shall be constructed or altered in the rear of a building situated on the same lot, nor shall any building be constructed in front of or moved to the front of a dwelling situated on the same lot. [Amended effective 12-23-1993]
- F. A rear yard extending along the rear lot line shall be required on every lot or portion thereof in a residence zone, and on every interior lot or portion thereof in every zone other than a residence zone, whenever the rear line of the lot is more than fifty-five (55) feet back from the nearest street.
- G. An interior lot running through the block from street to street shall be required to provide a front yard setback on both streets. [Amended effective 7-30-1982; effective 5-26-2000]
- H. Accessory buildings in a residence zone may occupy the required rear yard area up to an average height of fifteen (15) feet as measured from the average elevation of the finished grade to the level of the highest point of the roof's surface, if the roof is flat, or to the mean level between the eaves and the highest point of the roof if any other type. The yard area

occupied by such accessory building shall, however, be included in computing the maximum percentage of the lot which may be built up in any given zone. [Amended effective 7-30-1982; effective 2-2-1990; 7-27-2007]

- I. Projection into required yards. The space in any required yard shall be open and unobstructed, except for the ordinary projection of open entries, steps, stoops or porches, cantilevered roofs, eaves, cornices, chimneys, belt courses, window sills, balconies, air conditioners, propane tanks, HVAC equipment and similar architectural features, provided that such features shall not project more than two (2) feet into any required yard. Transformer pads may encroach two (2) feet into a front or rear yard. Second-story stairs and landings may encroach into a rear or front yard for a distance of two (2) feet. Ingress or egress awnings or canopies when attached to a hospital, nursing home, congregate housing, medical office or similar facility may encroach into any required yard for a distance of ten (10) feet and shall be exempt from building area (coverage) calculations. [Amended effective 7-20-1984; 7-27-2007; 9-24-2010]
- J. The height provisions of these regulations shall not apply to the erection of church spires, belfries, cupolas, [not to exceed thirty-six (36) square feet] flagstaffs, water tanks or towers (whether operational or as an architectural feature), standpipes, mechanical penthouses and bulkheads, except that with a development park, the height provisions shall not apply to mechanical and habitable penthouses. Penthouses shall be set back a minimum of ten (10) feet. This setback shall be taken back from extremities of the main roof area. This regulation shall not apply to buildings for which a zoning permit has been issued or Commission approval has been granted prior to the effective date of this regulation. Such buildings shall be completed in accordance with plans filed with the Zoning Inspector or Commission prior to such date. [Amended effective 10-28-1988, amended effective 4-24-2009]
- K. The height provisions of these regulations shall not prevent the erection of a church, school, public library or a public museum to a height not exceeding fifty (50) feet in a residence zone.
- L. Nothing in these regulations shall prevent the erection above the height limit of a parapet wall or cornice extending above such height limit not more than three (3) feet. EN66

§ 118-820. Uses Subject to Moratorium EN67

- A. [Added effective 7-29-2016; amended effective 4-28-2017; deleted effective 10-30-2017]

§ 118-830. Special uses. [Added effective 10-28-1988; amended effective 1-26-2007; amended effective 5/30/2008]

It is recognized that certain uses based upon public need, health, safety and welfare are desirable and should be permitted within certain zoning districts.

- A. Bus shelters and accessory operational facilities shall be permitted in any district, subject to the approval of the Commission. The Commission may, consistent with public health, safety and welfare, waive, in whole or in part, the setback and height requirements for such structures. EN68

- B. Electric power generator, as defined herein, shall be permitted by Special Permit in certain districts, subject to approval by the Commission and the following definitions and standards:

- 1) Definitions:

Electric power generator – A generator designed to manufacture excess electric power to be sold in conjunction with a municipal electric company for emergency or peak shaving purposes only

Emergency - A condition where the local municipal utility company is experiencing a power outage in its distribution system, or is not receiving power from the electric grid or has been notified by the power grid operator of an impending emergency which likely will result in a power supply emergency as defined by Independent System Operator – New England (ISO-NE) OP-4 step 12, or any similar system reliability and status index

Peak Shaving – A program designed by the local municipal utility in which an electric power generator equipped customer is authorized by contract to reduce the load on the local electrical distribution system and the regional electric grid during periods of peak monthly demand by running on-site generation equipment at the request and direction of the local utility

- 2) One (1) electric power generator powered by natural gas only and located on the roof of a building a minimum of six (6) stories in height, shall be permitted provided such generator does not exceed the maximum load required for the building's operation by more than fifty percent (50%), as certified by a registered professional engineer, subject to confirmation by the Building Inspector. The operation of such generators shall be limited to no more than two hundred (200) hours per calendar year and to the operating hours of 7:00 am until 11:00 pm only, except in the case of an emergency, as herein defined. Such generators shall demonstrate compliance with the City of Norwalk Noise Ordinance and, in addition, shall show compliance with the ordinance when the decibel level of the generator in operation is measured at the highest occupied level of adjacent building(s) and with applicable Connecticut Department of Environmental Protection air quality standards.
- 3) Such generators shall not be taller than twelve (12) feet in height, shall be setback a minimum of ten (10) feet from the edge of the roof on which it is located, and shall be screened from public view, subject to the satisfaction of the Commission.

Editor's Note 64: Former Subsection B, which provided requirements for windows and ventilating skylights, was repealed effective 5-26-2000.

Editor's Note 65: This amendment provided for the deletion of former Subsection D, added effective 3-2-1990 to 3-1-1991, the moratorium on multifamily housing, and the redesignation of former Subsections E through M as D through I, respectively.

Editor's Note 66: Former Subsection M, dealing with improvement of nonconforming lots, was repealed effective 2-24-1989.

Editor's Note 67: Former ' 118-820, Completion and restoration of existing buildings, was repealed effective 2-24-1989.

Editor's Note 68: Former Subsection B, which dealt with commercial communications towers, added effective 5-29-1992, which immediately followed this subsection, was repealed effective 10-27-1995.

ARTICLE 90, Supplementary Regulations for Residence Zones

118-900. Front yards in residence zones. [Amended effective 6-24-1946; 5-4-1963; 3-2-1979; 1-28-2005]

A. A building erected on a corner lot shall be required to comply with the setback line on only its narrow street front. Where the two (2) street frontages of a corner lot are of the same length the owner may elect which street is to govern the setback line.

B. No building shall, however, notwithstanding any of the above provisions, be constructed, altered or moved nearer than thirty-five (35) feet to the center line of any street or streets upon which its lot may abut or front.

C. A roofed over but unenclosed projection in the nature of an entry or portico, with a building area of not more than eight feet in width and not more than six (6) feet in depth out from the conforming front wall of the building or a handicapped ramp as accepted by applicable building codes and state regulations, shall be exempt from the requirements of this section. [Amended effective 10-28-1988, 1-28-2005]

D. (Reserved)^{EN69}

E. (Reserved)^{EN70}

F. Wherever the Common Council shall have established a building line or wherever the Common Council may in the future establish a building line, as provided in the Charter of the City of Norwalk, then such building line shall be the setback line upon the lot in lieu of the provisions of this section.

G. On a corner lot in a residence zone no obstruction to sight more than thirty (30) inches in height shall be allowed within the area formed by the intersecting street lines and a straight line joining said street lines at points which are thirty (30) feet in distance from the point of intersection.

H. A minimum lot width of twenty-five (25) feet shall be required at the street line for all lots in a residence zone. [Added effective 2-13-1980]

118-910. Location of accessory buildings in residence zones.

Accessory buildings in residence zones shall conform to the following regulations as to their location upon the lot:

A. In the case of an interior lot fronting upon only one (1) street, no accessory building shall be erected or altered so as to encroach upon that half of the lot depth nearest to the street.

B. In the case of an interior lot fronting upon two (2) or more streets, no accessory building shall be erected or altered so as to encroach upon that fourth of the lot depth nearest each and every street.

C. In the case of a corner lot fronting upon two (2) streets, no accessory building shall be erected or altered so as to encroach upon that area between each respective street and a line drawn parallel to such street in a manner to divide the lot into two (2) equal parts.

D. In the case of a corner lot fronting on three (3) or more streets, no accessory building shall be erected or altered so as to encroach upon that fourth of the lot depth nearest each and every street.

E. No accessory building shall be located within five (5) feet of its rear lot line. In the case of lots more than one hundred (100) feet deep, the aforesaid distance required between the rear lot line and the accessory building shall be increased to ten (10) feet. [Amended effective 2-2-1990]

F. Notwithstanding any requirement in this section, the foregoing rules shall not prohibit any accessory building seventy (70) feet or more from any street bounding the block.

G. The limitations imposed by this section upon the location of an accessory building shall be waived when the accessory building is incorporated as an integral part of or is enclosed by one (1) or more of the same enclosing walls as the building to which it is accessory.

H. (Reserved)^{EN71}

I. The word "street" as used in this section shall mean a highway twenty-five (25) feet or more in width.^{EN72}

J. The accessory building or structure shall be located on the same lot as the primary structure. In subdivisions, the Commission may allow an accessory structure to exist on a separate lot for a two-year maximum, subject to the posting of a surety in sufficient amount to guarantee its removal at the end of that period, if no primary building has been constructed on that lot. [Added effective 3-1-1985]

§ 118-920. Helicopter landing sites in residence zones. [Added effective 9-28-2001]

Helicopter landing sites shall be prohibited in all residence zones, except as described below:

1. In emergencies.
2. By federal, state or local government officials or their authorized agents in the exercise of government responsibilities.

3. For public purposes when authorized by a permit issued by the Chief of Police or his designee.

Editor's Note 69: Former Subsection D and E, dealing with construction, alteration or movement of buildings in relation to the center lines of streets, were repealed effective 7-30-1982.

Editor's Note 70: Former Subsection D and E, dealing with construction, alteration or movement of buildings in relation to the center lines of streets, were repealed effective 7-30-1982.

Editor's Note 71: Former Subsection H referring to the former definition of corner lot was repealed effective 2-24-1989.

Editor's Note 72: Former Subsections J and K, dealing with rear lot line restrictions, as amended, which immediately followed this subsection, were repealed effective 7-30-1982.

ARTICLE 100, Supplementary Regulations for Business and Industrial Zones

118-1000. Setbacks and buffer strips in business and industrial zones.

A. Unless otherwise provided by these regulations, in a business or industrial zone, every building shall be required to be set back from the property line such a distance as may be necessary to keep its street wall, walls or covered porches thirty-five (35) feet from the center line of the street or streets upon which its lot may abut or front, except that where twenty-five percent (25%) of the length of a given block front is occupied by buildings on the street line or within one (1) foot of same, no setback shall be required for additional buildings on said block front. [Amended effective 1-16-1987]

B. Wherever the Common Council shall have established a building line or wherever the Common Council may in the future establish a building line, as provided in the Charter of the City of Norwalk, then such building line shall control the distance that the buildings shall be set back upon the lot, in lieu of these regulations.

C. No building or structure shall be maintained within seventy (70) feet of the center line of Connecticut Avenue as established by George C. Stout, City Engineer, and which center line is shown and delineated on a certain map entitled "Map Showing Center Line of Traveled Portion of Connecticut Avenue, Norwalk, Connecticut, August, 1944," said map on file in the Town Clerk's office. [Amended effective 12-20-1944]

D. No building or structure of any kind shall be erected or maintained within fifty (50) feet of the center line of Main Avenue as shown on a certain map entitled, "Map of Main Avenue, Showing Center Line Established for Zone and Building Line Purposes from Merritt Parkway to Wilton Town Line, 1946," on file in the Town Clerk's office. [Amended effective 3-22-1946]

E. No building or structure of any kind shall be erected or maintained within fifty (50) feet of the center line of Westport Avenue, said center line as shown on certain maps, three (3) entitled "Maps Showing Center Line of Traveled Portion of Westport Avenue, Norwalk, Connecticut, 1IN = 40FT, 1947," said maps being on file in the office of the Town Clerk under file numbers 2560, 2561 and 2562. Reference to said maps is hereby made and had for the particular location of said center line. [Amended effective 12-15-1950]

F. All properties used for commercial or industrial purposes shall provide a buffer strip on every side which abuts a residence zone, except that no buffer or graduated setbacks from residence zones shall be required where the abutting property is within a limited access highway or railroad right-of-way. An existing commercial or industrial building or use shall be exempt from the requirements of this section. All buffer strips must be kept free of litter and maintained to the satisfaction of the Zoning Inspector. [Added effective 9-15-1975; amended effective 1-16-1987; amended effective 8-30-2002]

G. Each buffer strip shall be a minimum of ten percent (10%) of the average lot width or depth, but need not exceed thirty (30) feet maximum. [Added effective 9-15-1975; amended effective 1-16-1987]

H. The treatment of the buffer strip shall be subject to the approval of the Zoning Inspector. Fences, walls, berms, existing vegetation or natural changes in grade may supplement planted material or be considered in lieu thereof when, in the opinion of the Zoning Inspector, the intent of this regulation is adequately served. The Zoning Inspector shall consider the extent to which the treatment of the buffer strip screens noise, glare, smoke and visibility from adjacent properties. [Added effective 9-15-1975]

118-1010. Garages and service stations in business and industrial zones.

A. [Amended effective 7-15-1976; 12-11-1981; 7-28-2006] Except with the permission of the Commission, under appropriate conditions and safeguards, no zoning approval shall be issued for the erection of a garage for more than five (5) motor vehicles or a motor vehicle service station or gas filling station, or for the conversion of any premises not so used to be used for such purposes, in any business or industrial zone, if any part of the lot or plot in question is situated within a distance of two hundred (200) feet as measured along the public street of or within any portion of a street between two (2) intersecting streets, between two (2) intercepting streets, or between an intersecting or intercepting street in which portion there exists:

(1) Schools.

(2) A hospital maintained as a charitable institution or a private hospital maintaining at least fifteen (15) beds for patients.

(3) A church with a meeting capacity of three hundred (300) persons.

(4) A theater containing at least three hundred (300) seats.

(5) A public library.

B. No gasoline filling appliance shall be located within ten (10) feet of a street line or within five (5) feet of an adjacent property line.

C. No existing garage for more than five (5) motor vehicles, a group of garages for more than five (5) motor vehicles or a motor vehicle service station or gas filling station shall be deemed to become a nonconforming use through the subsequent erection of such a school, hospital, theater or library, as defined above, within the aforesaid prescribed area.

D. So as to reduce traffic generation and traffic hazards, after the effective date of this amendment to this section and these regulations, no retail gasoline station shall be constructed or located within two thousand (2,000) feet of an existing gasoline filling station (retail). This provision shall not, however, make nonconforming uses of retail

gasoline filling stations otherwise conforming as of the effective date thereof. [Amended effective 12-11-1969]

E. In accordance with Section 14-54 of the Connecticut General Statutes, as revised, and any additional requirements herein, the Commission shall review and act on requests for certificates of approval of locations for licenses for dealing in or repairing of motor vehicles. [Added effective 7-28-2006]

**118-1020. Liquor outlets in business and industrial zones. [Repealed effective 6-27-2008]
EN73**

118-1030. Adult use establishments. [Added effective 1-28-1994; amended effective 6-25-1999]

A. Adult use establishments, where otherwise permitted by these regulations, shall be subject to the following restrictions:

(1) No adult use establishment shall be allowed within one thousand (1,000) feet of another existing adult use establishment. The one thousand (1,000) feet shall be measured as a straight airline distance, without regard to intervening terrain or the actual means of travel between the two (2) points, from the entrance of the proposed adult use establishment to the property line of a lot of an existing adult use establishment, as certified by a licensed surveyor.

(2) No adult use establishment shall be located within five hundred (500) feet of an existing place of worship, school or community center. The five hundred (500) feet shall be measured as a straight airline distance, without regard to intervening terrain or the actual means of travel between the two points, from the entrance of the proposed adult use establishment to the property line of a lot with an existing place of worship, school or community center, as certified by a licensed surveyor.

(3) No adult use establishment shall be located within two hundred (200) feet of a residence zone. The two hundred (200) feet shall be measured as a straight airline distance, without regard to intervening terrain or the actual means of travel between the two points, from the entrance of the proposed adult use establishment to the boundary of the residence zone.

(4) No adult use establishment shall be permitted in a Neighborhood Business, Rowayton Avenue Village District, East Avenue Village District, Silvermine Tavern Village District, Golden Hill Village District, Executive Office, South Norwalk Business District, Central Business Design District, SoNo Station Design District, Washington Street Design District, Reed Putnam Design District or a Marine Commercial Zoning District. Adult use establishments shall not be permitted by variance in zones where adult use establishments are prohibited. [Amended Effective 11-28-2003, 1-29-2010]

(5) No adult use establishment shall be conducted in any manner that permits the observation from any public right-of-way of any material depicting, describing or relating to the adult use activities or products located therein, specifically those activities or products in the adult use definition.

(6) Where permitted, adult use establishments shall be permitted by Special Permit in accordance with § 118-1450, Special Permits.

118-1031. RESERVED EN74

Editor's Note 73: Former Subsections G and H, which repealed inconsistent regulations and stated an effective date for the regulations, were repealed effective 7-30-1982.

Editor's Note 74: Former ' 118-1031, Amortization of adult use establishments, added effective 1-24-1994, was repealed effective 5-26-2000.

ARTICLE 101 Workforce Housing Regulation

Section 118-1050. Workforce Housing Regulation. [Added effective 1-16-1987; amended effective 12-30-1988; 1-26-2007; 11-27-2009; 7-27-2012; 2-27-2015; 2-26-2016; effective 4-27-2018; 6-14-2019]

A. Purpose and intent. It is recognized that a shortage of affordable workforce housing exists in Norwalk for persons of moderate income; that such shortage is detrimental to the public health, safety and general welfare and to economic development; and that existing housing programs, by themselves, are insufficient to meet the needs of the workforce and moderate-income households. The purpose of this regulation is to provide for a full range of workforce housing options, with a priority given to ownership housing, and to increase the supply of workforce housing units affordable to persons of moderate incomes by encouraging the construction of such housing units within specified multifamily and mixed use developments. It is intended that private developers who construct developments with moderately priced workforce housing units pursuant to these regulations will realize a reasonable profit therefrom.

B. Definitions. As used in this section, the following terms shall have the meanings indicated:

WORKFORCE HOUSEHOLD -- A household with an annual income which does not exceed eighty percent (80%) or, where required, sixty percent (60%) or one hundred percent (100%), of the State of Connecticut Median income, as adjusted for family size, as published by the United States Census Bureau and periodically updated by the U. S. Department of Housing and Urban Development (HUD). Household eligibility determinations shall be made in accordance with the income criteria in Section 8-30g-8 of the regulations of Connecticut State Agencies.

WORKFORCE HOUSING UNIT -- A dwelling unit occupied by a workforce household where the maximum sales price or rent shall be restricted in perpetuity for the life of the unit in accordance with the maximum housing payment calculations as described in Section 8-30g-8 of the regulations of Connecticut State Agencies.

RESALE -- Any transfer of original ownership interest in a workforce housing unit to a new owner other than an original owner's spouse or co-owner.

C. Regulations for Workforce Housing.

(1) Applicability: The workforce housing regulation shall apply to all multifamily and mixed-use developments in the following zones: [Amended effective 11-27-2009; 1-29-2010; 7-27-2012, 4-27-2018, 6-14-2019]:

- Central Business District (CBD)
- Commercial Planned Residential Development
- Executive Office Zone
- Business No. 1 Zone
- Business No. 2 Zone
- D Residence Zones
- Golden Hill Village District
- Hospital Zone
- Industrial Zone No. 1
- Light Industrial Zone No. 2
- Marine Commercial Zone
- Neighborhood Business
- Reed-Putnam Design District
- Rowayton Avenue Village District
- SoNo Station Design District (SSDD)
- South Norwalk Business District
- Restricted Industrial
- Washington Street Design District

- (2) Developments of twenty (20) or more dwelling units shall designate a minimum of ten percent (10%) of the total number of units, rounded up to the nearest whole number, as workforce housing units, affordable to households, in accordance with Section 8-30g-8 of the regulations of Connecticut State Agencies; except that, **developments of twelve (12) or more units in the CBD and SSDD** shall designate a minimum of ten percent (10%) of the total number of dwelling units as workforce housing units, provided that: [Amended effective 4-27-2018; 6-14-2019]
- a) Any three-bedroom dwelling unit, designated as a workforce housing unit, complying with §118-1050 C(2)A, may count each three-bedroom unit as two workforce housing units for purposes of complying with the ten percent (10%) requirement for the zone, provided that the aggregate number of three-bedroom dwelling units in such a development that are counted as two affordable dwelling units shall not exceed the aggregate number of non-affordable three-bedroom dwelling units in such development **and the remaining workforce housing units are proportional to the overall unit mix within the development**; and
 - b) A minimum of ten percent (10%) of the total number of dwelling units, rounded up to the nearest whole number, shall be affordable to households earning no more than sixty percent (60%) of the state median income; or,
 - c) A minimum of ten percent (10%) of the total number of dwelling units, rounded up to the nearest whole number, shall be affordable to households earning no more than eighty percent (80%) of the state median income. In addition, a one (1) percent fee, based on residential construction cost, shall be paid to the city of Norwalk and placed into a fund to be used to construct affordable housing for individuals of lower income levels or families whose annual income does not exceed 60% of the state median income. Developments that utilize this provision are not required to provide more than one parking space per dwelling unit and may reduce recreation space to 100 square feet per unit. (Added effective 4-27-2018)
- (3) The workforce housing units shall be offered for sale or rent to workforce households, or to a municipal agency or a nonprofit housing agency, who shall offer the workforce housing units to workforce households, in accordance with the following priority designations:
- a) Existing tenants displaced by the proposed new development or the immediate past tenants that previously occupied any of the properties where existing housing units are to be removed. (Added effective 2-26-2016)
 - b) Employees of the City of Norwalk and the Norwalk Board of Education; Residents of the City of Norwalk who have resided in the City of Norwalk a minimum of one (1) year prior to the issuance of a certificate of occupancy; and Persons employed in the City of Norwalk.
 - c) All others.
- (4) The annual income of workforce households shall be reviewed and certified by the Commission, or its designee, in accordance with a procedure established in advance and approved by the Commission.
- (5) The Commission, or its designee, shall maintain a list of eligible workforce households in each category. Applicants shall be selected by lottery, conducted in accordance with a procedure established in advance of said lottery and approved by the Commission.
- (6) The Commission, or its designee, shall exhaust all qualified applicants in a given category of priority before proceeding to a lower category of priority.
- (7) The selected workforce household shall reside in the designated workforce housing unit.
- (8) Workforce housing units for sale shall not exceed the maximum purchase price as calculated in accordance with the maximum housing payment calculations in set-aside developments as per Section 8-30g-8 of the regulations of Connecticut State Agencies, as adjusted for family size.
- (9) Workforce housing units for rent shall not exceed the maximum monthly rent as calculated in accordance with the maximum housing payment calculations in set-aside developments as per

Section 8-30g-8 of the regulations of Connecticut State Agencies, as adjusted for family size. However, within the **CBD and SSDD**, should household earning increase after initial tenancy, such unit shall be considered to be in compliance with the provisions of this regulation, provided eligible household income does not exceed eighty (80) percent of state median income. [Amended effective 6-14-2019]

D. Bonus Provisions.

- (1) Where the workforce housing units are located in one of the zones listed below and constructed on the same site and as an integral part of a new market rate development, the Commission shall allow an increase in the permitted number of dwellings (density) by not more than twenty percent (20%), provided that such bonus units shall comply with the bonus unit criteria shown below: [Amended effective 4-27-2018]

Central Business Design District
 South Norwalk Business District
 Washington Street Design District
 Reed-Putnam Design District

Density Bonus Provisions	Maximum Household Income Criteria	Ratio of Bonus market rate units to Bonus workforce units
Up to Additional 20% bonus density	60% of State Median Income	2 market rate: 1 workforce unit
	80% of State Median income	1.5 market rate: 1 workforce unit

- (2) Once the above criteria is met, the Commission shall allow an increase in the permitted number of dwellings (density) by an additional ten percent (10%), up to thirty percent (30%) maximum, provided that the bonus units may comply with the bonus unit criteria shown below:

Density Bonus Provisions	Maximum Household Income Criteria	Ratio of Bonus market rate units to Bonus workforce units
Additional 10%	100% of State Median income	1 market rate: 1 workforce unit

- (3) In developments where such bonus units are proposed, the Commission shall modify the yard, building area and floor area ratio requirements of the zone in which the property is located, up to a maximum of ten percent (10%) and, permit one (1) additional story, solely where the applicant has demonstrated and the Commission determines that such modifications will not adversely affect adjacent properties or the public health, safety and welfare.

E. Additional standards.

- (1) Workforce Housing Affordability Plan: Workforce housing units shall be reasonably dispersed throughout the development and shall contain, on average, the same number of bedrooms and the same quality of construction as the other units in the development, as detailed in an Affordability Plan submitted by the applicant. Such plan may allow for equity sharing.

For properties located in the CBD or SSDD, the plan should include a reference to the one (1) percent fee, based on residential construction cost, that is paid to the City of Norwalk, and placed into a fund to be used exclusively for the construction or rehabilitation of affordable housing for individuals of lower income levels or families whose annual income does not exceed sixty percent (60%) SMI. [Amended effective 6-14-2019]

- (2) Workforce housing units shall be developed simultaneously with or prior to the development of the other units.
- (3) Workforce Housing Deed Restrictions: In order to maintain workforce housing units as affordable in perpetuity for workforce households, the following restrictions shall apply:
- a) Workforce housing units for sale shall be restricted by title to require that, in the event of any resale by the owner or any successor, the resale price shall not exceed the

then maximum sales price for said workforce housing unit, as determined in accordance with Subsection C. (8) above or the sum of the original purchase price and the cost of any documented fixed improvements made by the owner, whichever is greater.

- b) Workforce housing units for rent shall be restricted by title to require that the rents for said units shall not exceed the maximum rent as determined in accordance with Subsection C(9) above.

- (4) Where these regulations result in a fraction, the result shall be rounded up to the nearest whole number.

F. Location of workforce units.

- (1) Workforce housing units shall be built on the same site as the proposed development, as provided herein. [Amended effective 2-27-2015]

G. Fee-In-Lieu Payment

- (1) Alternative method of Compliance: Pursuant to an application for a Special Exception, the Commission shall allow an alternative method of satisfying the workforce housing requirement, including the payment of an appropriate in-lieu housing fee.

- (2) The workforce housing unit requirement may be satisfied, in whole or in part, through the payment of a "Fee-in-lieu" cash contribution to a City of Norwalk fund, or other Commission approved non-profit or for-profit organization dedicated to affordable housing initiatives. Off-site workforce housing units created with such funds shall be maintained as affordable in perpetuity and in the same manner as on-site workforce housing units. The cash contribution to be provided shall be calculated based on the applicable State of Connecticut median income, as periodically revised, and on the unit (bedroom) size as described in the Affordability Plan, and on the following criteria:

- (a) Units affordable to households earning sixty percent (60%) of the applicable median income shall require a cash contribution not less than three hundred and seventy percent (370%) of the State Median Income*
- (b) Units affordable to households earning eighty percent (80%) of the applicable median income shall require a cash contribution not less than two-hundred and seventy percent (270%) of the State Median Income*
- (c) Units affordable to households earning one hundred percent (100%) of the applicable median income shall require a cash contribution not less than two-hundred and twenty percent (220%) of the State Median Income*

Sample 2006 cash contribution for a workforce housing unit:

Units for households @ 60% of state median income: $\$81,000 \times 370\% = \$299,700$

Units for households @ 80% of state median income: $\$81,000 \times 270\% = \$218,700$

Units for households @ 100% of state median income: $\$81,000 \times 220\% = \$178,200$

- (3) Where the contribution is targeted to assist an identified off-site project providing affordable workforce housing, the Commission shall condition the issuance of certificates of occupancy for the development project with the completion of the off-site workforce housing units and/or establish other reasonable performance conditions necessary to insure that the off-site work force housing units will be built in a timely manner.
- (4) The in-lieu fee shall be paid according to the following schedule:
- (a) Twenty-five percent (25%) prior to the issuance of a building permit.
- (b) Twenty-five percent (25%) prior to the renting or sale of twenty-five percent (25%) of the dwellings.
- (c) Fifty percent (50%) prior to the renting or sale of fifty percent (50%) of the dwellings.

Bonus Density for Multifamily Development by Zoning District

[Amended effective 2-26-2016; 10-28-2016; 4-27-2018; 6-14-2019]

Zone	Existing Density for Multifamily Development	Density with bonus
SoNo Station Design District [Amended effective 4-27-2018]	87 units/acre 500 sf of lot area per dwelling unit	10% 95 units/acre 20% 104 units/acre 30% 113 units/acre
South Norwalk Business District	26 units/acre 1,650 sf of lot area per dwelling unit	10% 29 units/acre 20% 32 units/acre 30% 34 units/acre
Central Business Design District [Amended effective 2-26-2019; 10-28-2016; 6-14-2019]	87 units/acre 500 sf of lot area per dwelling unit	10% 95 units/acre Subareas A & B 20% 104 units/acre Subareas A & B 30% 113 units/acre Subareas A & B
Washington Street Design District	No density limit: 600 sq ft of building area devoted to such uses	
Reed-Putnam Design District	62 units/acre 700 sf of lot area Subarea D 29 units/acre 1,500 sf of lot area Subareas C & E	10% 69 units/acre Subarea D 32 units/acre Subareas C & E 20% 75 units/acre Subarea D 35 units/acre Subareas C & E 30% 81 units/acre Subarea D 38 units/acre Subareas C & E

Link to Department of Housing (DOH) Affordable Housing Appeals Act Regulations; scroll down to 8-30g-8 Maximum Housing payment calculations:

https://portal.ct.gov/-/media/SOTS/regulations/Title_08/030gpdf.pdf?la=en

ARTICLE 110, Flood Hazard Zone [Added effective 4-24-1978]

§ 118-1100. Flood Hazard Zone. [Amended effective 8-19-1986; 2-26-1993; 6-18-2010; 12-24-2010; 7-8-2013; 7-25-2014, 2-15-2019]

A. Purpose and intent.

- (1) It is declared that a need is present in Norwalk for greater protection of its citizens and their property from the ravages of flooding.
- (2) It is the purpose of this regulation to control the construction of buildings in areas which are subject to flooding in order to minimize the damages of such flooding and to promote the health and safety of the city's residents.
- (3) It is the purpose of this regulation to enable the City of Norwalk to continue its eligibility for federal flood insurance and, in doing so, to meet the minimum standards set forth by the Federal Emergency Management Agency.

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

ADMINISTRATOR -- The Federal Flood Administrator who has been designated the responsibility for the administration of this program.

BASE FLOOD -- The flood having a one-percent chance of being equaled or exceeded in any given year.

BASE FLOOD ELEVATION (BFE) -- The elevation of the crest of the base flood or 100-year 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.

BASEMENT -- Any area of the building having its floor subgrade (below ground level) on all sides.

BREAKAWAY WALLS -- 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 supporting foundation system

BUILDING -- see definition for "Structure".

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).** [Added effective 2-15-2019]

COASTAL HIGH-HAZARD AREA – **An 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 wave action from storms or seismic sources. Coastal High Hazard Areas are designated as Zones VE and Coastal AE on a Flood Insurance Rate Map (FIRM).** [Added effective 2-15-2019]

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.

EXISTING MANUFACTURED HOME PARK OR SUBDIVISION -- means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured home are to be 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 the effective date, April 24, 1978, of the floodplain management ordinance adopted by the community.

EXPANSION TO AN EXISTING MANUFACTURED HOME PARK OR SUBDIVISION -- The preparation of additional sites by the construction of facilities for servicing the lots on which the manufacturing 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).

FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) -- The federal agency that administers the National Flood Insurance Program (NFIP).

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 INSURANCE RATE MAP (FIRM) -- An official map of the City of Norwalk on which the Administrator has delineated both the areas of special flood hazard and the risk premium zones applicable to Norwalk.

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.

FLOODPROOF -- Watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.

FLOODWAY -- The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1.0) foot. The "floodway" is shown on the Fairfield County, Connecticut Flood Insurance Rate Maps prepared by the Federal Emergency Management Agency, dated June 18 2010, as amended.

FUNCTIONALLY DEPENDENT USE OR FACILITY -- A use or facility that cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes but is not limited to docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, ship building and ship repair facilities. The term does not include seafood processing facilities, long-term storage, manufacturing, sales or service facilities.

HISTORIC STRUCTURE -- Any structure that is: (a) Listed individually in the National Register of Historic Places maintained by the U. S. 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 by an approved State program as determined by the Secretary of the Interior.

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). [Added effective 2-15-2019]

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.

MANUFACTURED HOME -- A structure, transportable in one (1) 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 "manufactured home" does not include a "recreational vehicle."

MANUFACTURED HOME PARK OR SUBDIVISION -- A parcel or contiguous parcels of land divided into two (2) or more manufactured home lots for rent or sale.

MARKET VALUE -- The market value of a structure shall be determined by an independent appraisal by a licensed professional appraiser 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 (MSL) – 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 (FIRM) are referenced.

NEW MANUFACTURED HOME PARK OR SUBDIVISION - 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 the effective date, April 24, 1978, of the floodplain management regulation adopted by the community.

RECREATIONAL VEHICLE -- A vehicle which is (i) built on a single chassis; (ii) four hundred (400) square feet or less when measured at the largest horizontal projections; (iii) designed to be self-propelled or permanently towable by a light-duty truck; and (iv) designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel or seasonal use.

SAND DUNES – Naturally occurring accumulations of sand in ridges or mounds landward of the beach.

SPECIAL FLOOD HAZARD AREA (SFHA) – The land in the floodplain subject to a one-percent or greater chance of flooding in any given year, as shown on the Fairfield County, Connecticut Flood Insurance Rate Maps, City of Norwalk applicable panels 0389, 0391-0394, 0526, 0527, 0529, 0531-0534, 0537, 0541, 0542, prepared by the Federal Emergency Management Agency, dated June 18 2010, 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 -- The date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement or other improvement was within one hundred eighty (180) days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of a slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the 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. (This definition is for other than new construction of substantial improvements under the coastal barrier resources act. (Pub.L. 97-348)

STRUCTURE – 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.

SUBSTANTIAL DAMAGE – Damage of any origin sustained by a structure, whereby the cost of restoring the structure to its pre-damaged condition would equal or exceed fifty percent (50%) of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT – Any repair, reconstruction or improvement of a structure, the cumulative cost of which equals or exceeds fifty percent (50%) of the market value of the structure either before the “start of construction” of the improvement or repair is started or, if the structure has been damaged and is being restored, before the damage occurred, including the cumulative cost of improvements taking place after the original effective date of these regulations April 24, 1978. This term includes structures that have incurred “substantial damage”, regardless of the actual repair work performed. For the purpose 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 any project for improvement of a structure to comply with existing state or local health, sanitary or safety code specifications which have been previously identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions nor any alteration of a historic structure listed on the National Register of Historic Places or a State Inventory of Historic Places, provided that the alteration will not preclude the structure’s continued designation as a historic structure. [Amended effective 12-24-2010, effective 7-8-2013]

VARIANCE - A grant of relief by the Norwalk Zoning Board of Appeals from the terms of the Flood Hazard Zone regulation that allows construction in a manner otherwise prohibited and where specific enforcement would result in unnecessary hardship.

VIOLATION – The failure of a structure or other development to be fully compliant with the City of Norwalk’s Flood Hazard Zone regulations. 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.

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 flood plains of coastal or riverine areas.

C. Regulations for development.

- (1) Flood zones. All references to flood zones in this section refer to the areas of special flood hazard (**SFHA**) identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study (FIS) for Fairfield County, Connecticut, dated **October 16, 2013** and accompanying Flood Insurance Rate Maps (FIRM), dated **October 16, 2013** (Panel 09001C0393G), **July 8, 2013** (Panels 09001C0529G, 09001C0531G, 09001C0532G, 09001C0533G, 09001C0534G, 09001C0537G, 09001C0541G, 09001C0542G) and June 18, 2010 (Panels 09001C0389F, 09001C0391F, 09001C0392F, 09001C0394F, 09001C0526F, 09001C0527F), and other supporting data applicable to the City of Norwalk,

and any subsequent revisions thereto, are adopted by reference and declared to be a part of this regulation as cited in Section 118-200. 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 (SFHA) **includes any area shown on the FIRM as Zones A, AE, AO, AH, Coastal AE and VE, including areas designated as a floodway on a FIRM. Zones VE and Coastal AE are also identified as Coastal High Hazard Areas.** 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 Norwalk. 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. [Amended effective 7-8-2013, 2-15-2019]

- (2) Base flood elevation data. All proposed developments shall include within such proposals base flood elevation data.
 - (a) In A Zones where base flood elevations have been determined, but before a floodway is designated, require that no new construction, substantial improvement or other development (including fill) be permitted which will increase base flood elevations more than one (1) foot at any point along the watercourse when all anticipated development is considered cumulatively with the proposed development.
 - (b) Should data be requested and/or provided, adopt a regulatory floodway based on the principle that the floodway must be able to convey the waters of the base flood without increasing the water surface elevation more than one (1) foot at any point along the watercourse.
- (3) In all special flood hazard areas designated as Flood Zones A, AE, **Coastal AE** and VE the following provisions shall apply: [Amended effective 2-15-2019]
 - (a) Proposed development shall be reviewed to assure that all necessary permits have been received from those governmental agencies from which approval is required by federal or state law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. Section 1334, and to determine whether proposed building sites will be reasonably safe from flooding. **New construction, substantial improvements, and repair to structures that have sustained substantial damage shall be constructed with materials and utility equipment that are flood-damage resistant and conform to the provisions of FEMA Technical Bulletin 2, Flood Damage-Resistant Material Requirements. This includes, but is not limited to, flooring, interior and exterior walls, wall coverings and other materials installed below the base flood elevation plus one (1.0) foot.**
 - (b) Permits shall be required for all new construction, substantial improvements and other development and shall be designed (or modified) and adequately anchored to prevent flotation, collapse or lateral movement of the structure, be constructed with materials resistant to flood damage and be constructed by methods and practices that minimize flood damage. **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 to the base flood elevation plus one (1) foot. 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) For all new construction and substantial improvements in A and AE zones, fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must be certified by a registered professional engineer or architect and must meet or exceed the following minimum criteria: A minimum of two (2) openings having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one (1) foot above grade. Openings may be equipped with screens, louvers or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
- (d) The placement of mobile homes and manufactured homes shall be prohibited in flood hazard areas A, AE, shaded X, and VE. This prohibition includes placement outside of 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 in an existing manufactured home park or subdivision on which a manufactured home has incurred substantial damage as a result of a flood. Recreational vehicles placed on sites within Zones A, AE and VE shall: (1) be on the site for fewer than one hundred eighty (180) consecutive days; and (2) be fully licensed and ready for highway use. (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.)
- (e) New and replacement water supply and sanitary sewer systems shall be designed to minimize or eliminate infiltration of floodwaters into the system. Sanitary sewer systems shall also minimize or eliminate discharge from the system into floodwaters. On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.
- (f) **In all flood zones, underground tanks shall be anchored to prevent flotation, collapse and lateral movement under conditions of the base flood. In VE and Coastal AE zones, above-ground storage tanks which are located outside or inside of a structure must be elevated one (1.0) 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 that conform to the standards for the particular flood zone as described in Section 5.3. In A and AE zones, above-ground storage tanks which are located outside or inside of a structure shall be elevated one**

(1.0) 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 one (1.0) foot above the BFE and have a screw fill cap that does not allow for the infiltration of flood water.

- (g) If any portion of a structure lies within the Special Flood Hazard Area (SFHA), the entire structure is considered to be located within the SFHA and must meet the construction requirements of the flood zone. The structure includes any structurally attached additions, garages, decks, porches, sunrooms, patios or any other structure attached to the main structure.**
 - (h) 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., VE zone is more restrictive than AE zone; structure must be built to the highest BFE). The structure includes any structurally attached additions, garages, decks, porches, patios, sunrooms, or any other structure attached to the main structure.**
 - (i) The property owner, or his agent, shall notify adjacent communities and the Connecticut Department of Environment Protection of any alteration or relocation of a watercourse. This notification shall be by certified mail, return receipt requested, with evidence of such notification submitted to the Zoning Commission and the Federal Emergency Management Agency. The property owner shall file in the Town Clerk's Office a maintenance agreement assuring that the flood-carrying capacity of the altered or relocated watercourse is not diminished.**
 - (j) The Zoning Inspector will obtain, record and maintain the elevation (in relation to mean sea level) of the lowest floor (including basement) of all new construction and substantial improvements. For coastal high hazard areas (VE zones and Coastal AE Zones), the Zoning Inspector will obtain, record and maintain the elevation of the bottom of the lowest horizontal structural member for all new construction and substantial improvements.**
- (4) Flood Zone A, unnumbered. The following provisions additionally shall apply:**
- (a) The Zoning Inspector shall require the applicant to utilize any base flood elevation and floodway data available from a federal, state or other source as criteria for requiring that all new construction and substantial improvements of residential structures have the lowest floor, including basement, elevated to or above the base flood elevation plus one (1) foot and all new construction and substantial improvements of nonresidential structures have the lowest floor, including basement, elevated or floodproofed so that it is watertight above the base flood elevation. A registered professional engineer must determine the BFE in accordance with accepted hydrologic and hydraulic engineering practices and document the technical methods used. Studies, analyses and computations shall be submitted in sufficient detail to allow thorough review and approval. Where floodproofing is utilized for a particular structure, a Connecticut registered professional engineer or architect shall certify that the floodproofing methods are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the base flood, and a record of such certificate indicating the specific elevation, in relation to mean sea level, to which such structures are floodproofed shall be maintained with the Zoning Inspector.**

- (5) Flood Zone AE. The following provisions additionally shall apply: [Amended effective 2-15-2019]
- (a) **Residential construction:** All new construction and substantial improvements of residential structures shall have the lowest floor (including basement) elevated to or above the base flood elevation plus one (1) foot. All new construction, substantial improvements, and repair to structures that have sustained substantial damage which are residential structures shall have the bottom of the lowest floor, including basement, elevated one (1.0) foot above the base flood elevation (BFE). Electrical, plumbing, machinery or other utility equipment that service the structure must be elevated one (1.0) foot above the BFE.
 - (b) **Non-Residential Construction:** All new construction, substantial improvements, and repair to structures that have sustained substantial damage which are commercial, industrial or non-residential structures shall:
 - 1. Have the bottom of the lowest floor, including basement, elevated one (1.0) foot above the base flood elevation (BFE); or
 - 2. In lieu of being elevated, non-residential structures may be dry flood-proofed to one (1.0) foot above the BFE 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 provided that such structures are composed of structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. A registered professional engineer or architect shall review and/or develop structural design specifications and plans for the 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 section. Such certification shall be provided to the [title of local administrator] on the FEMA Floodproofing Certificate, Form 81-65.
 - 3. Electrical, plumbing, machinery or other utility equipment that service the structure must be elevated one (1.0) foot above the BFE.
 - (c) **Fully Enclosed Areas Below The Base Flood Elevation Of Elevated Buildings:** All new construction, substantial improvements, or repair to structures that have sustained substantial damage, whether residential or non-residential, that include fully enclosed areas formed by a foundation and other exterior walls shall have the lowest floor (including basement) elevated to one (1.0) foot above the base flood elevation (BFE). The elevated building shall be designed to preclude finished living space below the lowest floor and be designed to allow for the entry and exit of flood waters to automatically equalize hydrostatic flood forces on exterior walls (wet flood-proofing). Designs for complying with this requirement must either be certified by a registered professional engineer or architect as meeting the requirements of ASCE 24 Section 2.6.2.2, or meet the following minimum criteria listed in sections (a)-(h) below:
 - 1. Provide a minimum of two (2) openings (hydraulic flood vents) having a total net area of not less than one square inch for every one square foot of enclosed area subject to flooding. The enclosed area is measured on the exterior of the enclosure walls. These hydraulic openings must be located

on at least two different exterior walls of each enclosed area. If the structure has more than one enclosed area, openings must be installed in the exterior walls of each enclosed area so that flood waters can enter directly from the outside;

2. The bottom of all openings shall be no higher than one (1.0) foot above the higher of either the final interior grade or floor elevation, or the finished exterior grade adjacent to the outside of the foundation wall. At least one entire side of the structure's fully enclosed area must be at or above grade. Fill placed around the foundation walls must be graded so that the elevation inside the enclosed area is equal to or higher than the adjacent outside elevation on at least one side of the building. The finished floor of the enclosed area shall be no lower than the bottom of the foundation openings. The foundation slab of a residential structure, including the slab of a crawlspace, must be set equal to the outside finished grade on at least one side of the building;
3. The openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic entry and exit of flood waters in both directions without any external influence or control such as human intervention, including the use of electrical and other non-automatic mechanical means. These coverings must not block or impede the automatic flow of floodwaters into and out of the enclosed area. Other coverings may be designed and certified by a registered professional engineer or approved by the Zoning Inspector;
4. Openings shall not be less than three (3) inches in any direction in the plane of the wall;
5. The area cannot be used as finished living space. Use of the enclosed area shall be the minimum necessary and shall only be used for the parking of vehicles, building access or limited storage. Access to the enclosed area shall be the minimum necessary to allow for the 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). The enclosed area shall not be used for human habitation;
6. All interior walls, floor, and ceiling materials located below one (1.0) foot above the BFE shall be unfinished and flood damage-resistant in accordance with FEMA Technical Bulletin 2, Flood Damage-Resistant Requirements.
7. Electrical, plumbing, HVAC duct work, machinery or other utility equipment and connections that service the structure (including, but not limited to, furnaces, oil or propane tanks, air conditioners, heat pumps, hot water heaters, ventilation, washer and dryer hook-ups, electrical junction boxes, circuit breaker boxes and food freezers) are prohibited in the fully enclosed area below the BFE plus one (1.0) foot. Utilities or service equipment located in this enclosed area, even if elevated to one (1.0) foot above the BFE in the space, may subject the structure to increased flood insurance rates.
8. A residential building with a structurally attached garage having the floor slab below the BFE is considered an enclosed area below the BFE and

must meet FEMA standards. A garage attached to a residential structure, constructed with the garage floor slab below the BFE, must be designed to allow for the automatic entry and exit of floodwaters in both directions. Flood openings or vents are required in the exterior walls of the garage or in the garage doors. Garage doors that must be manually opened do not meet the flood vent opening requirements. In addition to the automatic entry of floodwaters, the areas of the garage below BFE plus one (1.0) foot must be constructed with flood damage-resistant materials per the requirements of FEMA Technical Bulletin 2. Garages attached to non-residential structures must also meet the aforementioned requirements or be dry floodproofed.

(6) Flood Zone VE **and Coastal AE**. The following provisions additionally shall apply.
[Amended effective 2-15-2019]

- (a) All new construction and substantial improvements shall be located landward of the reach of the Connecticut Coastal Jurisdiction Line as defined in CGS 22a-359 as amended by Public Act 12-101. [Amended effective 7-8-2013]
- (b) All new construction and substantial improvements **and repair to structures that have sustained substantial damage** shall be elevated on adequately anchored pilings or columns, and securely anchored to such piles or columns so that the lowest portion of the lowest horizontal structural members of the lowest floor (excluding the pilings, **pile caps**, or columns) is elevated to or above the base flood elevation plus one (1) foot **with all space below the lowest horizontal supporting member open and free of obstruction so as not to impede the flow of water. Basement floors that are below ground on all sides are prohibited. The bottom of all electrical, plumbing, machinery or other utility equipment that service the structure must be elevated one (1.0) foot above the BFE and cannot be located below the structure. Any service equipment that must be located below the BFE must be floodproofed to prevent water from entering during conditions of flooding. Electrical, mechanical and plumbing system components are not to be mounted on or penetrate through walls designed to breakaway under flood loads.** A Connecticut registered professional engineer or architect shall certify that the structure is securely anchored to adequately anchored pilings or columns in order to resist flotation, collapse and lateral movement; in order to withstand the effects of wind and water loads acting simultaneously on all building components as well as velocity waters and hurricane wave wash from a one-hundred-year storm event and the space beneath the lowest floor shall be free of obstruction, or be constructed with breakaway walls intended to collapse under stress; said space shall not be used for human habitation. Non-supporting breakaway walls, lattice work or mesh screening shall be allowed below the base flood elevation provided it is not part of the structural support of the structure and is designed so as to break away, under abnormally high tides or wave action, without damage to the structural integrity of the structure on which it is to be used and provided the following design specifications are met: (1) Design safe loading resistance of each wall shall not be less than ten (10) pounds per square foot or more than twenty (20) pounds per square foot; or (2) If more than twenty (20) pounds per square foot, a licensed 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 prior to or during the collapse of such wall. 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. **Areas enclosed by breakaway walls shall contain hydraulic flood vents.** Electrical, plumbing, machinery or other utility equipment that service the structure must be elevated to or above the BFE and cannot be located below the structure. Any service equipment that must be located below the BFE must be floodproofed to prevent water from entering during conditions of flooding.

- (c) No use of fill for structural support of buildings shall be permitted. **Minor grading and the placement of minor quantities of non-compacted fill shall be permitted for landscaping 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.**
 - (d) Man-made alterations of sand dunes which would increase potential flood hazard damage is prohibited.
 - (e) **To protect the building envelope, an exterior door shall be installed at the top of the stairs that provides access to the lowest (habitable) floor of the structure.**
 - (f) **The base of a chimney or fireplace shall not extend below the BFE plus one foot. When vertical support is required, a chimney or fireplace shall be vertically supported on pile or column foundations embedded at least as deep as the rest of the structure foundation or deeper where needed to support the chimney against water and wind loads. The chimney and fireplace system shall be designed to minimize transfer of water and wind loads to the structure or structure foundation.**
- (7) Floodway. In the floodway designated on the Flood Insurance Rate Map the following shall additionally apply:
- (a) Encroachments, including fill, new construction, substantial improvements and other development that would result in any (0.00 feet) increase in flood levels within the community during the occurrence of the base flood discharge shall be prohibited. The provision of proof that there shall be no (0.00 feet) increase in flood levels during occurrence of the base flood discharge due to the proposed construction or encroachment shall be the responsibility of the applicant and shall be based on hydrologic and hydraulic studies, performed in accordance with standard engineering practice, and certification, with supporting technical data, by a Connecticut Registered Professional Engineer. **Buildings and structures meeting the standard above and located in whole or in part in the floodway shall be designed and constructed in accordance with ASCE 24.**
 - (b) **Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.**
- (8) Variances. In addition to the provisions set forth in Article 140, § 118-1410, Board of Appeals, the following shall apply in flood hazard areas:

- (a) The applicant for a variance shall be notified in writing over the signature of the Zoning Inspector that the issuance of a variance to construct a structure below the base flood **elevation** will result in increased premium rates for flood insurance, and such construction below the base flood **elevation** increases risks to life and property. Such notification shall be maintained with a record of all variance actions as required in Subsection C. (8) (b) of this section.
- (b) The city shall maintain a record of all variance actions, including justification for their issuance, and report such variances issued in its annual report submitted to the Administrator.

(9) Compliance.

- (a) Upon completion of the foundation for all structures in a flood hazard area and before any further construction can occur, an as-built drawing prepared by a licensed surveyor shall be submitted to the Zoning Officer. The as-built drawing shall show the location of the foundation on the property as well as the elevation of the top of the foundation.
- (b) Upon completion of all structures in a flood hazard area, a professional engineer or registered architect shall certify that the structure has been constructed in compliance with the standards set forth in § 118-1100 of the Building Zone Regulations.

(10) Abrogation and Greater Restrictions

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

(11) Warning and Disclaimer of Liability

- (a) 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 City of Norwalk 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 City of Norwalk, its officers and employees shall assume no liability for another person's reliance on any maps, data or information provided by the City of Norwalk.

ARTICLE 111, Coastal Zone [Added effective 2-29-1980]

§ 118-1110. Coastal Zone. [Amended effective 12-24-1981; 6-10-1983; 3-29-2002; 8-29-2003; 5-28-2004; 3-24-2006; 5-25-2007; 9-25-2009, 1-27-2012, 1-30-2015, 5-27-2016]

A. Purpose and intent.

- (1) It is declared that a need is present in Norwalk for greater control over the development of its shoreline in order to encourage development which is compatible with the waterfront, minimize adverse environmental impact and encourage harmonious coastal development.
- (2) The purpose of this section is to implement the State Coastal Management Act, Chapter 444 of the Connecticut General Statutes, as amended, and the goals and policies therein.

B. General requirements.**(1) Coastal Zone.**

- (a) All references to the "coastal boundary" refer to the Coastal Boundary Map, Norwalk, Connecticut, scale one (1) inch equals six hundred (600) feet, adopted by the Planning and Zoning Commission June 18, 1980, a copy of which is on file with the Town Clerk.
- (b) All references to the "Coastal Zone" refer to the area of Norwalk within the coastal boundary and landward of the mean high-water mark.

(2) Coastal site plans required.

- (a) All structures and uses in the Coastal Zone, unless exempt under § 118-1110E, shall comply with coastal site plan review requirements in Sections 22a-105 through 22a-109 of the Coastal Management Act, as amended, in addition to complying with the other requirements of these regulations.
- (b) An application for coastal site plan review in accordance with Sections 22a-105(c) and 22a-106(c) of the Coastal Management Act, as amended, shall be filed with the Zoning Inspector in addition to an application for zoning approval, zoning variance, Special Permit, site plan review, subdivision, resubdivision or special exception. The Application shall be signed by the applicant and, if the applicant is not the owner, the owner of the property. If the applicant is unable to obtain the signature of the owner, the applicant may submit a letter of authorization signed by the property owner. [Amended effective 3-29-2002; 5-25-2007]
- (1) Notification of Neighbors: All applicants shall notify the owners of land that abut or are directly across the street from the subject parcel no later than ten (10) days after such application is submitted. Mailings shall be evidenced by a certificate of mailing that shall be submitted by the applicant to the Commission on or before the date of the Commission's action on such application. The name of the owners shall be taken from the latest Tax Assessor records. When a condominium is located across the street, or abuts the subject proposal notification may be sent to the condominium association in lieu of the individual unit owners. [Added effective 1-30-2015; amended effective 5-27-2016]
- (c) A fee shall accompany the application in accordance with the Schedule of Fees, effective as of the date of the application, to be paid by the applicant at time of submission of application. [Amended effective 10-27-1995; 08-29-2003; 03-24-2006; 4-24-2009; 4-28-2017]

Where required by these regulations, an application for village district design review shall be filed with the staff as indicated on the approved schedule of fees effective as of the date of the application. The Commission shall refer such application to its Village District Consultant to review for compliance with applicable design guidelines. The report of such consultant shall be entered into the public hearing record and considered by the Commission in making its decision. Such fee shall be used by the Commission to compensate the village district consultant; any unused balance shall be returned to the applicant. [Amended effective 9-25-2009]

Legal notice fees shall be the responsibility of the applicant, who will be billed for the payment of legal notice fees directly by the publisher of such notice. Applications for special permit or variance shall be exempt from these fees.

C. General procedures for review and approval of coastal site plans.

- (1) The Commission may hold a public hearing, at its discretion, on any coastal site plan. Notice of the time and place of the hearing shall be given in accordance with Sections 8-3c and 8-7d of the Connecticut General Statutes, as amended. The Commission shall hold a public hearing on the following coastal site plan applications:
 - (a) Multifamily dwellings containing more than six (6) dwelling units that are within two hundred (200) feet of mean high water; twelve (12) or more dwelling units that are more than two hundred (200) feet from mean high water. [Amended effective 5-15-1987]
 - (b) Commercial and industrial uses of more than two thousand (2,000) square feet that are within two hundred (200) feet of mean high water; four thousand (4,000) square feet or more that are more than two hundred (200) feet from mean high water. [Added effective 5-15-1987]
 - (c) Activities requiring any other zoning permit, review or approval for which a public hearing is required by General Statute or these regulations. [Added effective 5-15-1987]
- (2) The Commission shall approve, approve with conditions, modify or disapprove a coastal site plan in accordance with the time periods specified in Section 8-7d of the Connecticut General Statutes, as amended, provided that no zoning violation exists on the property. [Amended effective 5-28-2004, 1-27-2006]
- (3) In approving the application, the Commission shall set an effective date and may attach such conditions to the coastal site plan as shall ensure compliance with the requirements of the Coastal Management Act, as amended.
- (4) Any extension or change of an existing structure or use permitted by coastal site plan review which substantially changes its character or intensity shall require a new coastal site plan review.
- (5) Coastal site plan review approval of any building, use or structure for which a building permit has not been issued within one (1) year from the effective date shall become null and void, unless an extension of time is applied for and granted by the Commission.
- (6) As a condition to a coastal site plan approval, the Commission may require a financial guarantee to secure compliance with any modifications required as a condition of approval. A financial guarantee for any modifications required by the Commission shall be posted by applicant approved as to form and financial institution by the Commission or Corporation Counsel at any time before completing all site plan modifications, public improvements or utilities. The financial guarantee shall be released only after all improvements are complete and

are in satisfactory condition. If not satisfactory, within 65 days of release request, a written explanation shall be provided to the applicant detailing the outstanding work that must be completed before such financial guarantee or portion thereof may be released. [Amended effective 1-27-2012, 10-26-2012]

D. Special Permits, variances and site plan review.

- (1) All applications for a Special Permit shall be governed by the provisions of § 118-1450 and the procedures, standards and other requirements of coastal site plan review and § 118-1110C.
- (2) All applications for a zoning variance shall be governed by the provisions of § 118-1410 and the procedures, standards and other requirements of coastal site plan review and § 118-1110C.
- (3) All applications for a site plan review shall be governed by the provisions of § 118-1451 and the procedures, standards and other requirements of coastal site plan review and § 118-1110C. [Amended effective 8-28-1998]

E. Exempt uses and structures.

- (1) The following uses and structures shall be exempt from coastal site plan review:

- (a) Gardening, grazing and the harvesting of crops.

- (b) Construction, addition or alteration of a detached single-family dwelling except:

- [1] For the construction of a detached single dwelling and additions of one thousand (1,000) square feet or more within one hundred (100) feet of the following coastal resource areas as defined by Section 22a-93(7) of the Coastal Management Act, as amended: tidal wetlands, coastal bluffs and escarpments, and beaches and dunes. [Amended effective 5-15-1987]

- [2] For a structure identified in the Norwalk Historic Resource Inventory, as amended.

- (c) 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.

- (d) Minor additions to existing buildings, other than a detached single-family dwelling, consisting of one thousand (1,000) square feet or less, except on property abutting coastal waters, or within one hundred (100) feet of the following coastal resources as defined by Section 22a-93(7) of the Coastal Management Act as amended: tidal wetlands, coastal bluffs and escarpments, beaches and dunes; two thousand (2,000) square feet or less for additions that are more than two hundred (200) feet from the above-referenced coastal resources. [Amended effective 5-15-1987]

- (e) 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 that will not substantially alter the natural character of a coastal resource or restrict access along the public beach.

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

- (g) Interior modifications to buildings.

- (h) Minor changes in the use of a building or property except changes on property abutting coastal waters and except changes from a water-dependent use to a non-water-dependent use.

- (2) Exemptions under subdivision E (1) shall not be deemed to exempt any uses or structures from any other application, review or approval that is required by the Building Zone Regulations.
[Amended effective 5-25-2007]

ARTICLE 112, Soil Erosion and Sediment Control Regulations [Added effective 9-13-1985, amended 1-27-2012]

Section 118-1120. Soil Erosion and Sediment Control Regulations

§ 118-1121. Purpose.

The purpose of these regulations is to help minimize soil erosion and sedimentation that occurs as a result of the construction of residential, industrial and commercial development. Rapid changes in land use to nonagricultural and urban uses have accelerated soil erosion and sediment deposition, resulting in water pollution and damage not only to aesthetic values and wildlife but to sewers, roads, stream channels and water bodies.

§ 118-1122. Activities requiring a certified erosion and sediment control plan.

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 one-half (1/2) acre.

§ 118-1123. Exemptions.

A single-family dwelling that is not part of a subdivision of land shall be exempt from these soil erosion and sediment control regulations.

§ 118-1124. Erosion and sediment control plan.

- A. To be eligible for certification, a soil erosion and sediment control plan shall contain proper provisions to adequately control accelerated erosion and sedimentation and reduce the danger from stormwater runoff on the proposed site based on the best available technology. The Connecticut Guidelines for Soil Erosion and Sediment Control (1985), as amended describes the principles, methods and practices necessary for certification. Alternative principles, methods and practices may be used with prior approval of the Commission.
- B. Said plan shall contain, but not be limited to:
 - (1) A narrative describing:
 - (a) The development.
 - (b) The schedule for grading and construction activities, including:
 - [1] Starting and completion dates.
 - [2] Sequence of grading and construction activities.
 - [3] Sequence for installation and for application of soil erosion and sediment control measures.
 - [4] Sequence for final stabilization of the project site.
 - (c) The design criteria for proposed soil erosion and sediment control measures and stormwater management facilities.
 - (d) The construction details for proposed soil erosion and sediment control measures and stormwater management facilities.
 - (e) The installation and/or application procedures for proposed soil erosion and sediment control measures and stormwater management facilities.

- (f) The operations and maintenance program for proposed soil erosion and sediment control measures and stormwater management facilities.
- (2) A site plan map at a scale of at least forty (40) feet to one (1) inch shall show:
 - (a) The location of the proposed development and adjacent properties.
 - (b) The existing and proposed topography, including soil type, wetlands, watercourses and water bodies.
 - (c) The existing structures on the project site, if any.
 - (d) The proposed area alterations, including cleared, excavated, filled or graded areas, and proposed structures, utilities, roads and, if applicable, new property lines.
 - (e) The location of and design details for all proposed soil erosion and sediment control measures and stormwater management facilities.
 - (f) The sequence of grading and construction activities.
 - (g) The sequence for installation and/or application of soil erosion and sediment control measures.
 - (h) The sequence for final stabilization of the development site.
- C. Any other information deemed necessary and appropriate by the applicant or requested by the Commission or its designated agent.

§ 118-1125. 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.

§ 118-1126. Issuance or denial of certification.

- A. The Commission, or its designated agent, shall either certify that the soil erosion and sediment control plan, as filed, complies with the requirements and objectives of the regulations 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 the provisions of 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 Fairfield County Soil and Water Conservation District which may make recommendations concerning such plan, provided that such review shall be completed within thirty (30) days of the receipt of such plan.
- D. The Commission shall forward a copy of the development proposal to the Conservation Commission, or other review agency or consultant, for their review and comment within thirty (30) days of the receipt of the plan.

§ 118-1127. Conditions relating to soil erosion and sediment control.

Compliance with plan requirements.

- A. Any person engaged in development activities who fails to file a soil erosion and sediment control plan in accordance with these regulations or who conducts a development activity, except in accordance with the provisions of a certified plan shall be deemed in violation of these regulations.
- B. 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 financial guarantee approved as to form and financial institution by the Commission or Corporation Counsel and submitted prior to the start of construction in accordance with and the provisions specified in Section 118-1450, Special Permits and Section 118-1451, Site plan review. Such financial guarantee shall be released only after all improvements are complete and are in satisfactory condition. If not satisfactory, within 65 days of release request, a written explanation shall be provided to the applicant detailing the outstanding work that must be completed before such financial guarantee or portion thereof may be released. [Amended effective 1-27-2012, 10-26-2012]
- C. 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.
- D. Planned soil erosion and sediment control measures and facilities shall be installed as scheduled according to the certified plan.
- E. All control measures and facilities shall be maintained in effective condition to ensure the compliance of the certified plan.

§ 118-1128. Inspection.

Inspection 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.

ARTICLE 113, Excavation and Fill Regulations [Added effective 10-26-2012]

Section 118-1130. Purpose

The purpose of these excavation and fill regulations is to regulate the excavation, filling, and grading of land as an activity requiring a permit in order to preserve and protect the land as a natural resource, to safeguard life, limb, property and the public welfare, and to preserve the natural environment and the stability of hillsides.

§ 118-1131. Activities requiring an excavation and fill permit.

Any activity requiring an excavation and fill permit under Chapter 97 Excavating and Filling of Land shall require a zoning permit prior to the commencement of any excavation or filling or grading of land.

§ 118-1132. Exemptions.

Any activity exempt from an excavation and fill permit under Chapter 97 Excavating and Filling of Land shall not require a zoning permit

§ 118-1133. Zoning permit requirements

- A. An application for a Zoning Permit for land excavation, filling, grading or earth removal shall be submitted to the Zoning Inspector prior to the commencement of any work on the site. The permit application shall comply with all the requirements of City Code Chapter 97 Excavating and Filling of Land, specifically including Section 97-4. Application.
- B. The Zoning Inspector shall refer all applications to the Department of Public Works for review and approval.

ARTICLE 120, Off-Street Parking and Loading Regulations [Added effective 6-17-1951; amended effective 4-1-1975; 11-28-2003; 4-24-2009; 4-30-2010; 6-28-2013; 12-19-2014; 11-27-2015; 4-29-2016; 11-24-2017; 4-27-2018; 6-14-2019]

§ 118-1200. Declaration of necessity. [Amended effective 4-1-1975]

It is declared that the land uses described herein bring substantial numbers of automobiles into the area in which they are located. Unless provisions are made for off-street parking, such automobiles will be parked on public streets, including, in many instances, streets which are residential in character. Such on-street parking causes congestion, hinders emergency access and tends to have a detrimental and depreciating effect on the area subject thereto. It is essential that all structures and land uses provide a sufficient amount of off-street parking and loading spaces to meet the needs of persons making use of them. Accordingly, it is declared that the provisions of these sections are necessary for the protection of the public health, safety and general welfare.

§ 118-1210. Motor vehicle parking and loading space. [Amended effective 4-1-1975]

- A. Where, as of the effective date of these regulations, off-street motor vehicle parking and loading facilities are provided conforming in part or in whole with §§ 118-1200 through 118-1280 inclusive, such off-street parking and loading facilities shall not be reduced in quantity, reduced in area or otherwise altered below the requirements set forth herein. All off-street parking and loading facilities of five (5) or more spaces shall be subject to approval by the Zoning Inspector. [Amended effective 7-15-1983]
- B. Parking and loading spaces shall not be used for any other purpose or character of automobile parking or loading as to limit their availability for automobile parking or loading.
- C. A building in existence at the time of adoption of this regulation may continue to be used without adequate parking and loading as required by §§ 118-1210 through 118-1260 of these regulations. However, should such building be increased in area or changed in use so as to require additional parking or loading, such additional parking or loading shall be determined by applying the standards set forth in §§ 118-1210 through 118-1260. [Amended effective 2-27-1987; 7-28-1989]

§ 118-1220. Amount of motor vehicle parking space to be provided. [Amended effective 8-31-2001; 9-26-2003; 11-28-2003; 12-24-2004; 11-25-2005; 11-23-2007; 1-30-2009; 4-27-2018]

- A. Seating capacity [applies to Subsection C (6) and (7)] shall be determined on the following basis.
 - (1) Without fixed seating, possible occupancy shall be computed at the rate of one (1) person for each seven (7) square feet of floor area intended for patron occupancy.
 - (2) With fixed seating, possible occupancy shall be computed in accordance with the number of individual seats provided and at the rate of eighteen (18) inches in width per person in bench or bleacher-type seating.
- B. Active commercial floor area.
 - (1) Active commercial floor area [applies to Subsection C(12), (13) and (15)] is the area the use of which is directly related to parking generation and shall specifically exclude area devoted to the housing of automated equipment, service equipment, inventory storage space, space devoted to serving and maintaining the premises, employee service, common lobby area in office buildings, etc.
 - (2) Until the active commercial floor area is known, seventy-five percent (75%) of the gross floor area shall be the basis for determining the parking and loading required.
- C. The following off-street motor vehicle parking requirements shall be minimum:

Section 118-1220 Off-street Motor Vehicle Parking Requirements

Use	Parking Requirement
(1) Single-family residence	2 parking spaces
(2) Two-family residence (Amended effective 7-19-1978)	4 parking spaces
<p>(3) (a) Multi-Family Residence (Amended effective 7-11-1980; 1-16-1987; 5-18-2001; 4-27-2018; 6-14-2019)</p> <p>(b) Residence (other) (Amended effective 1-11-1978; 9-29-1978)</p> <p>(1) Planned residential development</p> <p>(2) Planned residential development, elderly</p> <p>(3) Congregate housing (Added effective 7-25-1980)</p> <p>(4) Commercial planned residential development (Added effective 1-16-1987)</p> <p>(5) Housing for the elderly</p> <p>(6) Artist Live/Work Space (Added effective 6-14-2019)</p>	<p>1) 1.3 parking spaces per dwelling unit;</p> <p>2) for mixed use developments, the greater of 1.3 parking spaces per residential unit or the aggregate, after applying any applicable mixed-use reductions listed in §118-1220E, of the total required parking spaces for commercial uses and residential units parked at 1 space per unit.</p> <p>2 parking spaces per dwelling unit</p> <p>1 parking space per 2 dwelling units</p> <p>1 parking space per 4 dwelling units</p> <p>1.5 parking spaces per studio or 1-bedroom dwelling unit; 2.0 parking spaces per 2-bedroom or larger dwelling unit (A dwelling unit with 4 or more rooms shall count as 2 bedrooms.)</p> <p>1 parking space per unit</p> <p>0.5 parking spaces per unit</p>
(4) Home occupation (Amended effective 6-12-1987)	2 parking spaces, plus residential requirement
(5) Auditoriums, stadiums, theaters and places of assembly (Amended effective 6-14-2019)	1 parking space per 5 seats, based on the maximum seating capacity, except that in the CBD, no parking is required provided the property is within 1,000' of a municipal parking facility.
(6) Libraries (Added effective 6-14-2019)	No parking is required provided the property is within 1,000' of a municipal parking facility
(7) Churches, places of worship	1 parking space per 5 seats, based on the maximum seating capacity
<p>(8) Hotels, motels and extended stay hotels (Amended eff. 6-12-1987; 8-29-1997; 12-19-2014)</p> <p>(a) Hotels & motels</p> <p>(b) Extended stay hotels</p>	<p>1 parking space per guest sleeping room</p> <p>1 parking space per living unit, plus 1 parking space per worker employed at any one time, except for extended stay hotels in Washington Street Design District (WSDD), then</p>

Article 120: Off-street Parking & Loading regulations

Use	Parking Requirement
	only 1 parking space per living unit
(9) Clubs	1 parking space per 4 members, based on the maximum membership to be accommodated
(10) Sanatoriums and nursing homes (Amended effective 12-24-1992)	1 parking space per 3 beds, plus 1 parking space per 2 workers employed or to be employed at any one time
(11) Hospitals (Added effective 12-24-1992) (a) In-patient facilities (b) Out-patient facilities and clinics (c) Offices for private physicians	2 spaces per licensed bed 1 space per 250 square feet of active floor area 1 space per 200 square feet of active floor area
(12) Retail stores (Amended effective 1-27-1995, 1-27-2006, 3/1/2013; 4-27-2018; 6-14-2109) (a) Retail stores, including personal and business service establishments, and retail accessory to boutique manufacturing (b) Retail furniture stores (c) Nail Salons (d) Retail home improvement stores	1 parking space per 200 square feet of active commercial floor area, except in the CBD and SSDD , 1 parking space per 1,000 square feet of active commercial floor area. 1 parking space per 400 square feet of gross floor area 1 parking space for each chair or station 1 parking space per 350 square feet of gross floor area
(13) Banks and office buildings (Amended eff. 7-19-1978; 3-30-2001, 1-30-09; 5-25-2012) (a) Medical offices including physicians, dentists, chiropractors and related medical facilities (b) Banks and Other offices (c) Data recovery centers	1 parking space per 200 square feet of gross floor area; 5 parking spaces minimum. 1 parking space per 334 square feet of gross floor area; except for offices in development parks, 1 parking space per 370 square feet of gross floor area and except for banks in the SSDD, 1 parking space per 1,000 square feet of active commercial floor area. 1 parking space per 1,200 square feet of gross floor area and a utilization plan approved by the Commission.
(14) Stations (a) Truck and railroad freight stations (b) Bus and railroad passenger stations	1 parking space per 2 workers employed or to be employed at any one time 1 parking space per 100 square feet of platform and station area, plus 1 space per 2 workers employed or to be employed at any one time

Article 120: Off-street Parking & Loading regulations

Use	Parking Requirement
<p>(15) Restaurants (Amended effective 2-26-1993)</p> <p>(a) Restaurants, taverns</p> <p>(b) Take-out restaurants</p>	<p>1 parking space per 45 square feet of active commercial floor area</p> <p>1 parking space per 100 square feet of active commercial floor area, with a minimum of two (2) parking spaces required</p> <p>Notwithstanding the foregoing, in the SSDD, one (1) parking space per 200 square feet of active commercial floor area.</p>
<p>(16) Industrial and warehouse uses (Amended effective 7-24-1981; 11-27-1991)</p> <p>(a) Industrial and manufacturing establishments</p> <p>(b) Warehouses and wholesale establishments</p>	<p>1 parking space per 300 square feet of active floor area</p> <p>1 parking space per worker employed at any one time, plus 1 parking space per 5,000 square feet of floor area or fraction thereof; where the number of workers cannot be determined, 1 parking space per 500 square feet of active floor area</p>
<p>(17) Bowling lanes, paddle tennis, tennis courts</p>	<p>5 parking spaces per unit</p>
<p>(18) Boats (Amended effective 6-11-1975)</p> <p>(a) Marinas (Amended effective 4-29-1988)</p> <p>(b) Sight-seeing boats (public passenger carrier)</p> <p>(c) Fishing party boats (public passenger carrier)</p>	<p>1 parking space per mooring or dock space; 1 parking space per 3 boat rack storage spaces</p> <p>1 parking space per 4 passengers based on the United States Coast Guard rating of the boat or vessel</p> <p>1 parking space per 2 passengers based on the United States Coast Guard rating of the boat or vessel</p>
<p>(19) Motor vehicle service and gas stations (Amended effective 9-25-1992)</p> <p>(a) Motor vehicle service station (may include gas pumps)</p> <p>(b) Gas station (no motor vehicle service)</p>	<p>10 parking spaces, plus 1 space per 2 workers employed or to be employed at any one time</p> <p>1 parking space per pump island</p>
<p>(20) Car washes</p>	<p>1 parking space per 2 workers employed or to be employed at any one time, plus 10 reservoir spaces or reservoir space equal to 5 times the maximum number of vehicles capable of being processed at any one time, whichever is greater</p>
<p>(21) Funeral homes</p>	<p>1 parking space per 60 square feet of area intended for public occupancy</p>

Use	Parking Requirement
(22) Schools (a) Nursery or child day care center (Amended effective 6-12-1987) (b) Elementary (c) Middle (d) High School	5 parking spaces, plus 1 parking space per every 2 workers employed at any one time 1 1/2 parking spaces per worker employed or to be employed at any one time 1 1/2 parking spaces per worker employed or to be employed at any one time 1 1/2 parking spaces per worker employed or to be employed at any one time, plus 1 parking space per 4 students of school capacity
(23) Boarding- or rooming house (Added effective 6-12-1987)	2 parking spaces, plus 1 space for every 2 guest rooms
(24) Animal care center (Added effective 3-29-1996)	1 parking space per 10 animal suites and 1 space per 200 square feet of active floor area devoted to animal grooming facilities

- D. Reasonable and appropriate off-street parking requirements for buildings and uses not specifically provided for shall be determined by the Zoning Inspector, upon consideration of all factors entering into the parking needs of such use and by comparison with the uses enumerated above.
- E. Where one (1) establishment has two (2) or more distinct uses, each such use shall be measured separately for the purpose of determining the number of parking and loading spaces required. However, for mixed-use projects, the parking required for one use may be met in part by the parking provided for another use where it can be sufficiently demonstrated to the satisfaction of the Commission that the two uses have different peak hours, in accordance with the following criteria:

MIXED USE PARKING OVERLAP CRITERIA

		Reduction in parking requirement
Office	Residential	50%
Office	Hotel	50%
Office	Theater	50%
Office	Retail	30%
Office	Restaurant	30%
Residential	Retail	25%
Residential	Restaurant	10%
Retail	Restaurant	10%

Note: Must reduce the larger by the percent listed, but no more than the number provided by the lesser.
 For purposes of the mixed-use overlap, office includes medical office.

A use which occurs predominantly during the weekday and daytime hours shall not be changed to a use which does not occur predominantly during the weekday and daytime hours. Parking facilities for mixed use developments shall not limit the use of or place any restrictions on the shared parking spaces and shall not

reserve or restrict the use of any parking spaces for specific office or retail tenants or residential units.
(Added effective 10-26-2007; amended effective 12-21-2007)

In addition to the mixed use parking overlap criteria above, the Commission may, by Special Permit, allow a mixed-use project, to reduce up to an additional ten percent (10%) of the parking required under these regulations, provided that: (Added effective 6-14-2019)

- i. the total square footage of the development exceeds 250,000 SF;
- ii. more than 500 parking spaces are required as part of the development;
- iii. the development, has three (3) or more distinct uses; and
- iv. it is demonstrated to the satisfaction of the Commission that the nature of the development, or its uses and the factors which determine parking demand, result in fewer parking spaces to meet actual parking needs than required by these regulations.

F. All off-street parking facilities shall be located upon the same lot where the use occurs. However, in business and industrial zones, parking facilities may be located within six hundred (600) feet measured along adjacent streets. [Amended effective 3-2-1979]

G. Any land use, the major use of which is during the weekend or evening hours, may meet fifty percent (50%) of the required parking facilities through the use of parking spaces provided for land or buildings the major use of which is during the weekday or daylight hours and is within six hundred (600) feet measured along adjacent streets. [Amended effective 3-2-1979]

H. All off-premises parking sites as provided in Subsections F and G shall be subject to approval by the Zoning Inspector for accessibility, safety, convenience and ready identification. A long-term instrument, approved by the Zoning Inspector, which dedicates the use of such off-premises parking site shall be recorded in the Norwalk land records. A "long-term instrument" shall be defined as a legal instrument including, but not limited to a lease or easement, having a term of not less than twenty (20) years and which is filed in the Norwalk land records. The long term instrument may consist of a base term with a renewal option, provided that the total number of years identified in the instrument equals at least twenty (20) years. While the long-term instrument need only be for a term of twenty (20) years, if off-premises parking is provided as set forth in Subsections F and G, it **shall be provided in perpetuity**. At the termination of the initial long-term instrument, the parking easement or lease shall be extended for another twenty (20) year period or another long-term instrument must be entered into for off-premises parking. Any renewal or new long-term instrument shall be subject to approval by the Zoning Inspector. [Added effective 3-2-1979; amended effective 3-1-1985; 2-2-1990; 4-29-2016]

I. Planned residential developments approved prior to January 11, 1978, without adequate parking as required herein, shall not, by reason of that fact, be rendered nonconforming. [Added effective 1-11-1978]

J. All off-street parking and loading facilities, including all parking aisles and backup spaces needed for vehicle maneuvers into and out of parking spaces, shall be located to the rear of the required front setback line as now or hereafter established. The area between the street line and the front setback line, and on a corner lot, the side setback line along a street, except for the required access driveway and pedestrian sidewalk leading from the street to the off-street parking and loading area, shall be landscaped with lawns or other appropriate planting. Where the required parking space is provided by a garage or other covered space or by roof parking, the location of such garage or structure shall be in conformity with the zoning regulations relating to the class of building involved. [Amended effective 5-26-2000].

- K. All required off-street parking and loading spaces must remain available as approved for the specifically designated uses and cannot be used by the developer, owner or tenant for any other use than that for which it has been approved unless otherwise permitted in Subsection G. [Added effective 3-1-1985]
- L. Municipal parking in Norwalk Center. [Added effective 12-24-1992; amended effective 6-14-2019]
- (1) No off-street parking shall be required for a change of use within an existing structure provided the structure is no more than (1,000) one thousand feet of a municipal parking facility, as measured along a public right-of-way. [Amended effective 10-27-1995; 9-26-1997; 8-27-1999; 8-31-2001; 9-26-2003; 11-25-2005; 11-23-2007, 11-27-2009; 11-25-2011, 12-202013; 11-27-2015, 11-24-2017; 6-14-2019]
 - (2) Additions to structures listed on a local, state or national historic inventory are exempt from providing parking provided that:
 - a. A narrative, prepared by a Historic Architect, shall be submitted with the application describing in detail the proposed work to be done to the exterior of the historic structure. The Historic Architect shall be qualified for "Historic Architecture" as listed under 35 CFR Part 61 of the Secretary of Interior's Professional Qualification Standards and submit proof of same;
 - b. The proposed revisions are consistent with the Secretary of the Interior Standards for Rehabilitation, numbers 9 and 10, or as amended:

"New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment."

"New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired";
 - c. The proposed number of stories does not exceed four (4);
 - d. The lot area does not exceed one quarter (1/4) acre;
 - e. Any additions proposed above an existing structure is sufficiently set back from the existing façade so the addition does not detract from the existing façade and there is a clear delineation between the existing façade and the addition;
 - f. The Commission shall refer the application to the Historical Commission for review and recommendations, who may also refer the application to the State Historic Preservation Office for comment. If the Historical Commission does not endorse the application, a 2/3 majority vote of the Zoning Commission is required for approval;
 - g. The Commission determines the structure(s) in question contribute to community character or possesses a degree of historic significance (to be evidenced by its age, architectural uniqueness, or cultural value);
 - h. The proposed development complies with the bulk and height requirements in Schedule Limiting Height and Bulk of Buildings.
 - (3) For all new construction on properties with street frontage on West Avenue, Belden Avenue, Wall Street and Main Street, the principal use and structure shall be located between the street line of the above-mentioned streets and all parking facilities. Underground parking facilities, the roofs of which are less than three (3) feet above the center-line elevation of the street, shall

be exempt from this requirement. Properties with street frontage other than those noted shall provide a ten-foot buffer between all parking facilities and the street line.

- (4) Parking areas and structures located in CBD-W shall be set back twenty-five (25) feet from the mean high-water mark and shall be suitably landscaped to provide an appropriate transition between the public accessway and parking facilities.
- (5) The required amount of loading may be met on the same lot where the use occurs or on an adjacent lot, subject to approval by the Commission.
- (6) Wherever possible, vehicle access to parking and loading facilities shall be confined to less active, secondary streets and shall utilize a minimum of curb cuts. [Amended effective 10-26-2007]
- (7) A minimum ten-foot buffer is required for at-grade parking areas which abut a residence zone. Parking structures shall be subject to Subsection D.(2) herein.
- (8) For mixed-use projects, twenty percent (20%) of the parking required for the residential use may be met by the parking provided for the nonresidential use. However, where it can be sufficiently demonstrated to the satisfaction of the Commission that a nonresidential use occurs predominantly during the weekday and daytime hours, for example, offices, then up to fifty percent (50%) of the parking required for the residential use may be met by the parking provided for such nonresidential uses. A use which occurs predominantly during the weekday and daytime hours shall not be changed to a use which does not occur predominantly during the weekday and daytime hours.
- (9) By a 2/3's vote, the Commission may, by Special Permit, allow automated parking for developments requiring two hundred (200) parking spaces or more and located entirely within the CBD, subject to approval by the Commission. [Added effective 8-29-2008]
- (10) Curb-Cut Reduction Credit - The Commission may, by Special Permit, permanently grant a property a reduction of one (1) on-site parking space for each on-street public parking space added through the removal and or reduction of curb-cuts, provided the Commission makes affirmative findings that the proposed development will result in a significant community benefit such as:
 - (a) consolidation of two or more parcels into a meaningful master plan,
 - (b) excellence in design which enhances the pedestrian experience and overall streetscape (such as avoiding driveways interrupting the sidewalk), and/or
 - (c) other meaningful public amenities.

M. Municipal parking in South Norwalk [Added effective 3-28-2008; amended effective 4-3-2010]

- (1) No off-street parking shall be required for a change of use within an existing structure, where the subject property is located within an area defined as "Exempt Area for Change of use in South Norwalk" as shown on a map entitled "Designated Properties for Fees In Lieu of Parking in South Norwalk." This provision shall be effective until December 31, 2019. [Amended effective 11-25-2011, 12-20-2013; 11-27-2015; 11-24-2017]
- (2) The off-street parking requirement for the first two floors of any new mixed use building where the first floor is devoted exclusively to retail uses, the second floor is devoted exclusively to multifamily or office uses and the building is located within the designated area boundary as shown on a map entitled "Designated Properties for Fees in-Lieu of Parking in South Norwalk" may be met in whole or in part by utilizing municipal parking facilities, subject to the following conditions:

- (a) The applicant shall present to the Zoning Officer proof that the appropriate number of annual parking permits has been obtained, or if the use is temporary, that six-month permits have been obtained; and
 - (b) Prior to receiving a zoning approval, the applicant shall sign an affidavit guaranteeing that the same number of parking spaces will be renewed annually as long as the use exists and shall establish an escrow account in an amount equivalent to three (3) years of such parking fees. Should the use be terminated prior to the end of the three-year period, a prorated balance shall be returned to the applicant; and
 - (c) All uses located above the second floor shall provide required parking or shall comply with the payment of a fee in lieu of parking requirements in Section 118-1222. Payment in lieu of parking; and
 - (d) This regulation shall not apply to properties proposing the demolition of any building listed on the Norwalk Historic Resources Inventory. External building modifications for any building listed on such Historic Resources Inventory shall be consistent with applicable design guidelines.
- (3) The provisions of this subsection (M) shall not apply to new structures or additions to existing structures, except as noted in paragraph 2.
- N. Seasonal outdoor dining: No off-street parking shall be required for seasonal outdoor dining from April 1st through November 1st on city property and/or private property where the subject property is located in a commercial zone within six hundred feet (600') of a municipal parking facility as referenced on the maps entitled "Designated Properties for Fees-in Lieu of Parking", subject to annual renewal of required zoning approval and to permission by required city agencies. [Added effective 12-24-2004]
- (1) No off-street parking shall be required for seasonal outdoor dining from April 1st through November 1st on city property and/or private property where the subject property is located along Main Street in a designated area as referenced on a map entitled "Main Street: Designated Properties for Outdoor Dining Parking Exemption", subject to the annual renewal of required zoning approval and to permission by required city agencies. [Added effective 4-27-2012]
 - (2) No off-street parking shall be required for seasonal outdoor dining from April 1st through November 1st on city property and/or private property where the subject property is located in a designated area as referenced on maps entitled "East Norwalk: Designated Properties for Outdoor Dining Parking Exemption", subject to the annual renewal of required zoning approval and to permission by required City agencies. [Added effective 3-25-2016]
- O. Valet Parking Requirements
- (1) Off-street parking for a hotel, **extended stay hotel** and a hotel with a separate office space may be provided through the use of indoor valet parking facilities, subject to approval of an operating plan by the Commission. [Added effective 4-24-2009; amended effective 12-19-2014]
 - (2) Off street parking for residential developments containing more than fifty (50) units and located in the Washington Street Design District may be provided through the use of valet parking, tandem spaces, compact and/or vehicle stacker devices, subject to approval by the Commission and submission of a Parking Operation and Management Plan. [Added effective 6-28-2013]

§ 118-1221. Waiver of off-street parking requirement. [Added effective 7-24-1981]

- A. The Commission may waive the improvement of up to fifty percent (50%) of the parking spaces required by § 118-1220 of these regulations where it is determined that a building or use does not presently need the required number of parking spaces, provided that:
- (1) The applicant sufficiently demonstrates that the nature of the building or use and the factors which determine parking demand result in fewer parking spaces to meet actual parking needs than those required by these regulations.
 - (2) The site plan shows all required parking spaces, including those for which a waiver is requested. No structures or other improvements, except parking, driveways and underground utilities, may be constructed within the unimproved parking area, and said area shall be suitably landscaped.
- B. The Commission may require that the area for which a parking waiver has been granted be properly improved if, after public hearing, the Commission determines that the improvement of such parking area is necessary to meet the parking needs of the building or use. A legal instrument or bond with good and sufficient surety shall be posted to guarantee that the parking area, or a portion thereof, is properly improved. The legal instrument or bond shall be in force for a period not to exceed two (2) years from the date of issuance of a certificate of zoning compliance for the structure generating the parking requirement. [Amended effective 12-11-1981]
- C. A parking waiver may be amended by the Commission if an alternative parking layout which complies with the provisions of § 118-1221A is submitted. A parking waiver may be removed by the Commission if by reason of changes in the zoning regulations the parking spaces for which a waiver has been granted are no longer necessary to meet the parking requirement.
- D. For any hotel located on a property within the "Designated Properties for Fees in Lieu of Parking", the Commission may waive the improvement of up to fifty percent (50%) of the parking spaces required by Section 118-1220 of these regulations where it is determined that the hotel does not presently need the required number of parking spaces, provided that:
- (1) The applicant sufficiently demonstrates that the nature of the building or use and the factors which determine parking demand result in fewer parking spaces to meet actual parking needs than those required by these regulations; and
 - (2) For a period of two (2) years after a certificate of zoning compliance is issued for the hotel, the owner or proprietor shall purchase parking passes from the Norwalk Parking Authority to adjust for any shortfall in the total number of required parking spaces and shall deposit a sum equal to the total number of parking passes purchased for two (2) years calendar years with the City. After the expiration of two (2) years, the Commission shall waive the continued purchases of parking passes where the applicant, owner or proprietor has demonstrated to the satisfaction of the Commission that fewer parking spaces have been sufficient for such hotel use, which waiver shall not be unreasonably withheld. [Added effective 4-24-2009; amended effective 12-19-2014]

§ 118-1222. Payment in lieu of parking. [Added effective 2-27-1987; amended effective 7-28-2000; amended effective 11-28-2008; amended effective 4-30-2010; amended effective 6-14-2019]

- A. Purpose. Within the Central Business District and South Norwalk Business District, when the off-street parking requirement cannot be physically met on the subject property, they may be met in full or in part by the payment of a fee-in-lieu of parking to the city. Such payments will allow the City of Norwalk to acquire land, finance, design, construct and carry out capital repairs and

perform other necessary and desirable actions to provide municipal off-street parking facilities in the designated area.

- B. Applicability. By a two thirds (2/3's) vote, the Commission may, by Special Permit, allow for a permanent reduction of all or a portion of the parking spaces required, provided the applicant pays a fee-in-lieu-of the required parking spaces, provided that:
- (1) Funds collected from such payments shall be deposited and used solely in accordance with the provisions of Section 8-2c of the Connecticut General Statutes and hereafter may be amended from time to time
 - (2) A payment of a fee in lieu of parking shall apply only to new construction [Added effective 12-24-1992; amended effective 7-28-2000; 6-14-2019]
 - (3) Payment of a fee in lieu of parking shall be limited to certain properties within 1,000 feet from a municipal parking facility.
 - (4) Any off-street parking requirement met in this manner shall constitute a covenant running with the land such that a change in ownership shall not require payment of an additional fee, aside from required annual parking passes. [Amended effective 12-24-1992; 6-14-2019]
 - (5) One (1) parking pass is obtained for each required space and not more than 25% of the space in a municipal lot are utilized to meet such off-street parking requirements.
 - (6) The property owner shall present to the Zoning Officer proof that the appropriate number of annual parking permits have been obtained.
 - (7) Prior to receiving a zoning approval, the applicant shall sign an affidavit guaranteeing that the same number of parking spaces will be renewed annually as long as the use exists and shall establish an escrow account in an amount equivalent to three (3) years of such parking fees. Should the use be terminated prior to the end of the three-year period, a prorated balance shall be returned to the applicant.
 - (8) Properties that are within 1,000 feet of a municipal parking facility may not obtain a variance from the Zoning Board of Appeals.
 - (9) The Commission shall conduct an annual review of the use of fee-in-lieu, in conjunction with the Norwalk Parking Authority to evaluate the effectiveness of the regulation and the structure of the fee.
- C. The fee shall be determined as follows:
- (1) The payment of fee in lieu of parking for new construction shall be determined by the following formula:
 - (a) No. of spaces X \$20,000
 - (2) The payment of fee in lieu of parking for a change in use requiring more parking shall be determined by the following formula:
 - (a) No. of spaces X \$15,000
- D. Conditions of payment.
- (1) One hundred percent (100%) of the payment due for each designated property choosing to utilize this regulation shall be made to the City of Norwalk prior to the issuance of a zoning permit to the applicant. The city may accept twenty-five percent (25%) of the payment prior to the issuance of a building permit and the balance prior to the issuance of a certificate of occupancy at the discretion of the Commission.

- (2) Funds paid to the City of Norwalk as a fee in lieu of parking shall not be refundable for any reason.
- (3) Nothing herein shall be deemed to require the city to undertake the acquisition, construction, expansion or development of any particular off-street public parking facility.

§ 118-1230. Layout and design. [Amended effective 4-1-1975; effective 5-30-1980]

A. All off-street parking and loading spaces shall be arranged in an orderly manner to avoid unsafe conditions and to provide adequate access for vehicles and pedestrians using the area.

B. Parking stalls for full-size vehicles shall be provided in accordance with the following:

- (1) The minimum dimensions for each angle parking stall shall be eight (8) feet six (6) inches in width and nineteen (19) feet in length.
- (2) Parallel parking spaces, adjacent to curbs, sidewalks, driveways and buildings, shall be a minimum of seven (7) feet in width and twenty-two (22) feet in length.

C. Parking stalls for compact vehicles shall be provided in accordance with the following:

- (1) The minimum dimensions for each parking stall shall be seven (7) feet six (6) inches in width and fifteen (15) feet in length.
- (2) Compact parking stalls shall be permitted only for parking provided in a development park or in a parking structure for hotels and those uses set forth in § 118-1220C(3), (4), (13)(b) and (16), provided that: [Amended effective 12-10-1982; 5-26-2000]
 - (a) Not more than thirty-five percent (35%) of the parking spaces required by these regulations shall be for compact vehicles;
 - (b) The minimum number of parking spaces required by these regulations shall be in excess of fifty (50) spaces; and
 - (c) Compact parking stalls shall be grouped in contiguous, uniform stalls and shall have signs placed in appropriate locations indicating PARKING FOR COMPACT VEHICLES ONLY.

(3) All or any part of the parking spaces provided in addition to those required by these regulations may be for compact vehicles.

(4) To obtain approval of a parking layout with compact parking stalls, a site plan must first be submitted to the Zoning Inspector for approval which demonstrates that sufficient parking is capable of being provided to meet the minimum requirements of these regulations for full-size parking stalls. Upon such demonstration, the Zoning Inspector may then approve an alternate and different site plan containing compact parking stalls, in accordance with the requirements set forth herein. In no event shall the provision of compact parking stalls result in an increase in the floor area or the number of dwelling units permitted with the provision of full-size parking stalls.

D. Minimum aisle widths.

- (1) The minimum aisle width required to provide maneuvering space and access to parking stalls shall be as follows:

Minimum Aisle Widths

Full-Size Vehicles

Compact Vehicles

Parking Angle (degrees)	Stall Width (feet)	Aisle Width (feet)	Stall Width (feet)	Aisle Width (feet)
0	7	12	7	12
45	8.5	13		
	9.0	12	7.5	12
	9.5	12		
60	8.5	18		
	9.0	16	7.5	14
	9.5	20		
75	8.5	22		
	9.0	21	7.5	17
	9.5	20		
90	8.5	24		
	9.0	23	7.5	22
	9.5	22		

(2) The stall width shall be measured perpendicular to the direction of parking. When columns occur along the side lines of parking stalls located within a building or structure, the width of the stall shall be determined by dividing the clear dimension between column faces, measured perpendicular to the direction of parking, by the number of stalls between adjacent columns whenever the width of the stall so determined is less than nine (9) feet. In such cases, the painted side stripe defining each stall adjacent to a column shall be placed at the face of column rather than at the center line of the column, and the space between the column faces shall be divided into stalls of equal width.

(3) The aisle width dimensions as set forth in the chart in Subsection D (1) assume one-way circulation for all parking angles. At a parking angle of ninety degrees (90°) the same dimensions apply for two-way circulation.

(4) For a parking angle of zero degrees (0°), add ten (10) feet to the aisle for two-way circulation.

E. Where parking stalls of different dimensions share the same aisle, the parking stall requiring the greater aisle width shall govern.

F. All access drives and parking and loading access shall be paved with an appropriate hard surface pavement that is durable, dust free and maintained in good condition. In Special Permits for multifamily dwellings containing twelve (12) or more units, the surface and subsurface driveways must conform to the following minimum requirements: [Amended effective 10-28-1983; effective 4-12-1985]

(1) A base of twelve (12) inches of bank-run gravel or eight (8) inches of processed aggregate.

(2) A wearing course of bituminous concrete that is two and one half (2 1/2) inches thick after compaction or two (2) courses of bituminous concrete one and one-fourth (1 1/4) inches thick each, after compaction.

- G. Individual parking and loading spaces, aisles, crosswalks and entrances and exits shall be suitably identified with lines and arrows, subject to the approval of the Zoning Inspector.
- H. The provisions of Subsections C, D, E and F shall not apply to the parking requirements for one- and two-family residences.
- I. Automated parking: Where permitted, an automated (robotic) parking system is exempt from the aisle widths and parking space dimensions required herein, provided that the facade of an automated (robotic) parking garage system is architecturally compatible with adjacent properties and complies with applicable Design Guidelines. [Added effective 8-29-2008]

§ 118-1240. Entrances and exits; drainage; lighting. [Amended effective 4-1-1975]

A. Entrances and exits.

(1) Entrances and exits to parking and loading areas shall be by means of clearly limited and defined drives. Said entrances and exits shall be located to prevent conflict with pedestrian and vehicular traffic by providing for the stable flow of vehicles at all times. Entrances and exits shall be arranged to prevent any vehicle from exiting a parking area by backing onto or across a sidewalk and onto a street. [Amended effective 4-27-1990]

(2) All entrances and exits shall comply with the provisions of the City of Norwalk Department of Public Works Roadway Standards. Entrances and exits onto state roads or highways shall comply with the applicable requirements of the State Department of Transportation.

- B. All parking and loading areas shall be suitably graded, drained and maintained to prevent erosion and stormwater runoff onto adjacent streets and properties. The Zoning Inspector may require that drainage plans be certified by a civil engineer and, in addition, may refer said plans to the Department of Public Works for its review and recommendations.
- C. All parking and loading areas to be utilized during the nighttime shall be adequately lighted. Such lighting shall be located to reflect the light away from adjacent streets and properties.
- D. Stable traffic flow. [Added effective 4-27-1990 EN76]
 - (1) "Stable traffic flow" shall mean that site-generated traffic shall not adversely affect pedestrian or vehicular safety, conflict with the pattern of highway circulation or increase traffic congestion to a level of service (LOS) considered unacceptable by the Commission.
 - (2) The Commission shall not approve developments which fail to maintain stable traffic flow unless provision has been made for the improvement of inadequate conditions.
- E. The provisions of Subsections A, B and C shall not apply to the parking requirements for one- and two-family residences.

§ 118-1250. Buffer strips and internal landscaping. [Amended effective 4-1-1975]

- A. All off-street parking and loading areas of five (5) or more spaces, located between a building or use and the street on which it fronts, shall be separated from the street with a buffer strip. Said buffer strip shall be a minimum of five (5) feet in width and landscaped with trees and shrubs to provide for driver and pedestrian safety and to improve the appearance of the parking area.

- B. All uses permitted in residence zones with off-street parking of five (5) or more spaces shall provide a buffer strip, a minimum of five (5) feet in width, on all sides which abut a residence zone or use permitted in a residence zone.
- C. All off-street parking and loading areas of twenty (20) or more spaces shall be provided with planting islands. Said planting islands shall be a minimum of eight (8) feet six (6) inches in width and nineteen (19) feet in length, and shall be landscaped with trees and shrubs to channel internal traffic flow, prevent indiscriminate movement of vehicles, aid pedestrian circulation and improve the appearance of the parking area. The location and frequency of planting islands shall be subject to the approval of the Zoning Inspector.
- D. The treatment of the buffer strips and planting islands shall be subject to the approval of the Zoning Inspector. All buffer strips and planting islands must be kept free of rubbish and maintained to the satisfaction of the Zoning Inspector.
- E. Where parking and loading spaces abut sidewalks, buffer strips, planting islands or similar construction, a curb or wheel stop shall be provided to prevent vehicles from overhanging or otherwise damaging said construction.

§ 118-1260. Off-street motor vehicle loading space to be provided. [Amended effective 4-1-1975]

- A. There shall be provided clearly marked and posted off-street loading spaces to serve the following types of buildings and uses: hotels, hospitals, stores, office buildings, wholesale manufacturing and industrial buildings, warehouses and railroad and truck freight stations.
- B. The minimum area required for each loading space shall be ten (10) feet in width, twenty-five (25) feet in length and fourteen (14) feet height clearance. Each loading space shall adjoin a loading dock or entryway and be provided with adequate apron space for access and maneuvering.
- C. Loading space provided shall be based upon building floor area plus outside storage area, as follows: [Amended effective 11-27-1991]

Loading Space Requirements	
Floor Area	Loading Space Requirement
3,000 - 25,000 square feet	1 space
25,000 - 80,000 square feet	2 spaces
Over 80,000 square feet	2 spaces plus 1 space for each additional 100,000 square feet of floor area

§ 118-1270. (Reserved)EN77

§ 118-1280. Norwalk Traffic Authority. [Amended eff 4-1-1975; 3-2-1979; 7-30-1982; 5-26-2000]

- A. The off-street area of any lot may, however, be reduced by the portion thereof as is conveyed, with the approval of the Norwalk Traffic Authority, to said Norwalk Traffic Authority to be used for parking subject to the metering charges, management, control and regulations of such Authority.

Editor's Note 76: This amendment also provided for the redesignation of former Subsection D and Subsection E.

Editor's Note 77: Former ' 118-1270, Motor vehicle parking space to be provided in urban renewal projects, amended effective 4-1-1975, was repealed effective 2-27-1987.

ARTICLE 121, Sign Regulations [Added effective 6-28-1985; Amended effective 12-27-2002; 11-28-2003; 2-25-2005; 3-25-2005; 10-27-2006; 8-24-2007; 8-29-2008; 12-24-2010; 2-25-2011, 3-29-2013, 7-28-2017; 10-27-2017; 6-14-2019; 6-28-2019]

§ 118-1290. Purpose and intent.

The following regulations pertain to signs on private property. Signs on streets and public rights-of-way are regulated by city ordinance; see Chapter 21, Articles I and II. It is the purpose and intent of these sign regulations to permit such signs that will not, by their aggregate number, size, location, construction or manner of display, confuse or obstruct the vision necessary for traffic safety or otherwise endanger public health, safety and morals and to regulate signs in such a way as to protect property values, to improve the physical appearance of commercial areas and to preserve and enhance the aesthetics of the community.

§ 118-1291. Definitions.

As used in this regulation, the following words shall have the following meanings:

ANIMATED OR FLASHING SIGN -- Any sign which uses movement or change of lighting to depict action or to create a scene or which contains an intermittent or sequential flashing light, except for a time-temperature device in an otherwise nonanimated display; also any sign which is set in motion by movement of the atmosphere, such as pennants and flags, revolving or moving signs, spinners, special promotional signs, A-frames or other eye-catching devices, except for national or state flags. [Added effective 2-2-1990]

BUS SHELTER SIGN -- A sign displayed on a bus shelter structure and used for advertising a public service, merchandise, establishment, entertainment, events, etc., to support the cost of the shelter and which is fully enclosed within the frame of the structure. [Added effective 10-28-1988]

CHANGEABLE COPY SIGN (MANUAL) -- A sign on which copy is changed manually, e.g., readerboards with changeable letters.

CHANGEABLE COPY SIGN (AUTOMATIC) -- A ground sign or portion thereof on which the copy, character, or illustration changes automatically on a lampback or through mechanical means, except that the portion of a permitted sign providing time and temperature information only shall be exempt from this definition. [Amended effective 6-30-2000; 3-25-2005; deleted effective 2-5-2011; Added eff. 7-28-2017]

CORNICE SIGN -- A sign which copy depicts the name of the building to which it is attached or, in the alternative, the name of a corporate tenant located within the building as permitted by Section 118-1294(B)(5). [Added effective 2-25-2005]

DIRECTIONAL/INFORMATION SIGN -- Any sign giving directions, instructions or facility information and which may contain the name or logo of an establishment but no advertising copy, e.g., parking or exit and entrance sign.

ELECTRONIC VIDEO SCREEN (EVS) SIGN -- A wall mounted sign, affixed to a building, used for the purpose of advertising a public service or offsite community event, or retail tenant, merchandise, establishment or event related to the building or property to which it is affixed. This may be in the form of dynamic digital display equipment comprising an electronic video screen. The copy displayed on such sign may be in the form of electronic changeable copy or a static image; provided that the interval between sign content changes shall be no less than twelve (12) seconds. [Added effective 11-25-2016]

GROUND SIGN -- A permanent sign supported upon the ground by poles or braces and not attached to any building. [Amended effective 9-13-1985]

IDENTIFICATION SIGN -- A sign whose copy is limited to the name and address of a building, institution or person and/or the activity or occupation carried on or located on the same lot or plot.

MARQUEE SIGN -- A sign located on a permanent canopy over the entrance of a facility used for displaying the names of featured entertainment, movies, principal performers, events that will occur in the

facility on which the copy, character, or illustration changes automatically or through mechanical or digital means. [Added effective 10-27-2017]

OBSCENE- An image is obscene if (a) taken as a whole, it predominately appeals to the purient interest, (b) it depicts or describes in a patently offensive way a sexual act that is prohibited by the laws of the State of Connecticut, and (c) taken as a whole it lacks serious literary, artistic, educational, political or scientific value. Whether an image is obscene shall be judged by ordinary adults applying contemporary community standards.

OFF-PREMISES SIGN -- A sign advertising an establishment, merchandise, service, entertainment, etc., which is not sold, produced, manufactured or furnished at the property on which said sign is located, e.g., billboards or outdoor advertising, including roof signs erected over or on the roof of a building.

PORTABLE SIGN -- A sign that is not permanently affixed to a building, structure or the ground, e.g., a sandwich sign.

PROJECTING SIGN -- A sign attached to a building which projects from the building wall and is intended to be read from the side.

REAL ESTATE SIGN -- A sign advertising the real estate upon which the sign is located as being for lease or sale, or signs offering lots for sale within approved subdivisions on the premises.

SIGN -- Includes any fabricated sign or outdoor display structure consisting of any letter, figure, character, mark, point, plane, marquee sign, design, poster, pictorial picture stroke, stripe, line, trademark, reading matter or illuminating device, constructed, attached, erected, fastened or manufactured in any manner whatsoever, so that the same shall be used for the attraction of the public to any place, subject, person, firm, corporation, public performance, article, machine or merchandise whatsoever and displayed in any manner out of doors for recognized advertising purposes.

SIGN FRIEZE -- The area of the building face above first-floor windows but below the sills of second-story windows or the cornice, whichever is lower.

SIGN STRUCTURES -- A structure which supports one (1) sign face or two (2) sign faces placed back to back and enclosed in a frame not to exceed thirty (30) inches. [Added effective 9-13-1985]

TEMPORARY SIGN -- A sign constructed or intended for use during a limited period of time, e.g., a grand opening sign or a seasonal sign.

TENANT DIRECTORY SIGN -- A sign providing the names of tenants in a multi-tenant building of two hundred and fifty thousand (250,000) square feet or more, subject to Section 118-1294 (E)(1). [Added effective 10-29-2010]

WALL MURAL -- **Artwork painted on a building or affixed to the exterior of a building (including mosaic, tile and other textural materials) or structure** which contains no logos and no advertising of a product for sale or services rendered on the premises. The name of the sponsor **and artist may appear, provided they are clearly accessory to the mural and subject to the approval of the Norwalk Arts Commission.** A wall mural may not (a) contain images or text that are obscene, **discriminatory or offensive** or (b) **permanently damage a historical landmark or resource.** [Amended effective 12-27-2002; 6-28-2019]

WALL SIGN -- A sign attached parallel to and extending not more than twelve (12) inches from the wall of a building. This definition includes painted, individual letter and cabinet signs.

WINDOW SIGN -- A sign installed on a window and intended to be viewed from outside the building.

§ 118-1292. General requirements. [Amended effective 4-30-2010; 2-25-2011; 7-28-2017; 10-27-2017]

- A. Permits. No sign, except as provided herein, shall be erected, altered or otherwise changed, except for normal maintenance, unless a zoning approval has been issued by the Zoning Inspector and a

building permit has been issued by the Building Official. No zoning approvals or site plans shall be approved if the signage indicated is not in conformance with these regulations. [Amended effective 8-28-1998]

- B. Unless otherwise authorized in the regulations, animated and changeable copy signs who's copy, character, or illustration changes automatically on a lamp back or through mechanical means are prohibited and shall not be permitted on any type of signs or in any zoning district. Only national and state flags and those of charitable and religious organizations are permitted. **Wall murals, including those permitted as part of an approved sign manual, shall be allowed as artwork and may obtain a zoning permit after approval by the Norwalk Arts Commission.** [Amended effective 2-25-2011; 7-28-2017; 10-27-2017; 6-28-2019]
- C. Illumination. Any illuminated sign or lighting device shall employ only lights emitting a light of constant intensity and shall be designed, located, erected and maintained to confine or direct all illumination to the surface of the subject sign and away from adjoining premises or the street upon which it fronts or faces.
- D. Maintenance. All signs, together with their supports, shall be kept in good repair and in safe condition. The owner of the premises on which a sign is erected shall be directly responsible for keeping such sign and premises in a safe and neat condition.
- E. Nonconforming signs. Existing signs of a size and type not permitted in the district in which they are situated or which do not conform to all the provisions of these regulations are nonconforming signs under this section. No nonconforming sign shall be altered or changed in any way unless it is made to conform to these regulations. A new name shall not be deemed to be a change, provided that the letter size complies with the sign regulations described herein. A change shall not include the changes on a theater marquee, changeable copy (manual) sign, gas pricing sign, bus shelter advertising nor copy on billboards and shall not include normal maintenance activities. No signs described above shall be relocated, unless such relocation results in eliminating or reducing the nonconformity. [Amended effective 2-25-2011]
- F. Repair of nonconforming signs. If a sign suffers damage to the extent of fifty percent (50%) or more (replacement value), it must be brought into conformance with these regulations or removed.
- G. Abandoned signs. Permanent signs applicable to a business temporarily suspended because of a change of ownership or management of such business for a period of six (6) months or more or an off-premises sign which ceases to identify or advertise a bona fide business, service, owner, product or activity for a period of six (6) months or more shall be deemed abandoned. Such signs shall be removed by the owner of the premises on which the abandoned sign is located.
- H. Measurement of sign area.
 - (1) Sign area is that area enclosed by one (1) continuous line connecting the extreme points or edges of a sign. This area does not include the main supporting sign structure but shall include multiple signs attached to a single-sign structure.
 - (2) Except for off-premise signs, when a sign is double-faced, only one (1) face shall be counted in computing the sign's area. [Amended effective 3-26-1993]
- I. Letter size. Lettering shall be no larger than eighteen (18) inches in height, except as otherwise permitted by these regulations. [Amended effective 12-27-1991]

§ 118-1293. Signs permitted in all districts; museum signs.

- I. Signs permitted in all districts. Bus shelter signs are permitted in any district without the necessity of a permit and shall be exempt from the sign area limitations for that district. The following signs are permitted in any district, without the necessity of a permit, provided that they are set back a minimum of ten (10) feet from the street line and do not exceed a height of six (6) feet, if a ground sign, nor the height of the first story, if a wall sign [Amended effective 10-28-1988]:
- A. Any nameplate not exceeding two (2) square feet, giving the name and/or business of the owner or occupant of the premises on which the sign is located.
 - B. Construction signs not exceeding twelve (12) square feet. Such signs may be in place only until a certificate of occupancy is issued.
 - C. Any sign or source of illumination erected by any branch or department of the town, state or federal government, relating to traffic safety or identifying town property or landmark.
 - D. Any directional signs which identify entrances or exits, parking areas, traffic flow or hazards, provided that such signs are of a strictly informational nature and which do not exceed two (2) square feet in area and four (4) feet in height.
 - E. Public signs or notices or any sign relating to an emergency.
 - F. Real estate signs not exceeding six (6) square feet in area. Such signs may be in place for the period of the offering. Real estate "sold" signs shall be prohibited.
 - G. Incidental signs not exceeding one (1) square foot in area.
 - H. Temporary special occasion banners; such banners shall be removed immediately after occasion.
 - I. Museum signs permitted in all districts. All signs related to public museums or maritime centers which are located on the property of said institution or within one thousand five hundred (1,500) feet thereof shall be subject to administrative review and approval by the planning and zoning staff and to the issuance of a building permit by the Building Department. [Added effective 10-5-1990]

§ 118-1294. Signs in business and industrial zones. [Amended effective 9-13-1985; 3-14-1986; 12-27-1991; 1-29-1993; 9-28-2001; 10-27-2006; 10-29-2010]

The following signs and those permitted in § 118-1293 shall be permitted on each property with buildings thereon. All other signs are expressly prohibited.

A. General standards.

- (1) Sign area and number of signs. The total area of all on-premise signs, except for ground signs, shall not exceed one and a half (1.5) square feet in area for each linear foot of building frontage. No one (1) business use or tenant shall have more than two (2) signs on the premises, except that one (1) additional sign shall be allowed on one (1) side wall of a structure facing two (2) streets and computed at one (1) square foot for every two (2) linear feet of side wall. In addition, one wall identification sign shall be permitted at a secondary business entrance facing a parking lot, not to exceed one (1) square foot in area for every four (4) linear feet of secondary wall frontage. For buildings of one hundred thousand (100,000) square feet or more, one additional wall identification sign shall be permitted at a secondary business entrance facing or directly across the street from a parking lot which is utilized to comply with the required parking for that building, not to exceed one (1) square foot in area for every four (4) linear feet of secondary wall frontage. [Amended effective 10-27-2006]
- (2) Letter heights. Lettering on signs in business and industrial zones shall be no larger than twenty-four (24) inches in height.

B. Wall signs. All wall signs shall comply with the following requirements:

- (1) Standards for wall signs. No sign shall project more than twelve (12) inches from the wall to which it is attached, nor shall it extend beyond the corners of a building or above the cornice of a one-story building. Signs should be placed in the sign frieze area and shall not exceed a height of twenty (20) feet from the ground to the top of the sign. However, in the case of a tall one story building or a wall sign on a building in excess of five (5) stories, such signs shall be placed in the sign frieze area, shall not exceed a height of thirty (30) feet from the grade directly below the sign's location on the building to the top of the sign and shall be below the sills of second story windows, subject to approval by the Commission. [Amended effective 2-25-2005, 12-21-2007]
- (2) A retail store having a minimum gross floor area of eighty thousand (80,000) square feet or more and located a minimum of one hundred and fifty (150) feet from the street line may have lettering no larger than thirty-six (36) inches in height on a wall sign and, where located a minimum of two hundred and fifty (250) feet from the street line, may have lettering no larger than forty-eight (48) inches on a wall sign, provided that the maximum wall sign area does not exceed one (1) square foot for each linear foot of building frontage.
- (3) Window signs. Window signs, located within first floor (street level) uses, shall not exceed 25% of the glass, with the remainder of the glass being transparent. Each unit of occupancy above the first floor may display a sign on the inside of one (1) window serving such unit, provided that such sign shall not exceed four (4) square feet in area and shall be computed in the total sign area. [Amended effective 6-14-2019]
- (4) [Deleted effective 6-28-2019]
- (5) Cornice signs: In lieu of otherwise permitted wall signs specified in Subsection A(1) herein, buildings in excess of five (5) stories shall be permitted one (1) cornice sign which shall be located within ten (10) feet of the main roofline directly above the sign and one (1) building street number sign not to exceed twenty (20) square feet. Such cornice sign shall consist of letters or logo no larger than thirty-six (36) inches in height and a total sign area calculated at one and one-half (1.5) square feet in area for each linear foot of building frontage on one street, not to exceed two hundred and fifty square feet in area regardless of the size of the building, and may be installed on two (2) sides of such building. Such cornice sign shall not project more than twelve (12) inches from the wall to which it is attached, nor shall it extend beyond the corners of the building or above the cornice of the building. Such sign may be illuminated, but shall not be flashing, animated or have the capacity for changeable copy. Cornice signs shall be permitted only by site plan review or modification of same, as per Section 118-1451. [Added effective 2-25-2005]

C. Projecting or hanging signs. Projecting or hanging signs shall comply with the following requirements:

- (1) Signs may project from the face of the building or hang from a roof canopy, provided that such signs shall not exceed six (6) square feet in area, shall not project more than forty (40) inches from the building and shall provide a minimum clearance of eight (8) feet from a sidewalk or public walkway.

D. Ground signs. All ground signs shall comply with the following requirements:

- (1) One (1) ground sign shall be permitted on a lot provided that it has at least seventy-five (75) feet of street frontage on one (1) street.

- (2) Standards for ground signs. All ground signs shall be set back a minimum of fifteen (15) feet from any property line or at the building setback line, whichever is less. Ground signs shall not exceed seventy-five (75) square feet in area. No dimension of a ground sign shall exceed twenty (20) feet. The maximum height to the top of any ground sign shall not exceed fifteen (15) feet, nor shall it extend above the lowest part of the main roofline, whichever is lower.
- (3) A ground sign shall identify the name of each business occupying the lot and shall include the street address number of the property at least four (4) inches in height.
- (4) In lieu of permitted wall signs, one (1) ground sign a maximum of eight (8) square feet in area shall be permitted on lots with less than seventy-five (75) feet of street frontage located in a Neighborhood Business zone. No internally illuminated signs shall be permitted and no dimension of such sign shall exceed four (4) feet. Such ground sign shall be set back a minimum of ten (10) feet from any property line and the maximum height to the top of such sign shall not exceed four (4) feet. [Amended effective 2-25-2011]
- (5) Gas station signs. Gas stations may have one (1) product pricing sign attached to a permitted ground sign. Said pricing sign shall not exceed six (6) square feet in area and shall be exempt from the total sign area computation.
- (6) Portable signs shall be prohibited.

E. Additional standards for unified shopping centers and multi-tenant buildings.

- (1) In multi-tenant buildings, the total sign area permitted shall be prorated among the individual building tenants on an equitable basis; such as the amount of gross floor area of each unit, the number of units or the facade area attributable to each unit. In addition to the ground sign permitted in Subsection 118-1294 (D) above, multi-tenant buildings of two hundred and fifty thousand (250,000) square feet or more, may increase the size of the nameplate and directional signs permitted in Section 118-1293 to no more than eight (8) square feet in area and six (6) feet in height as measured from the average elevation of the centerline of adjacent driveway, and may install one (1) tenant directory sign not to exceed sixteen (16) square feet in area and six (6) feet in height, subject to the submittal of a coordinated directory sign plan for the entire property and the approval of such plan by the Commission. [Added eff. 10-29-2010]
- (2) Signs for individual occupants of a unified shopping center shall comply with a coordinated signage plan for the entire property. Such signs shall be uniform in at least two (2) of the following respects: letter size, letter type and style, or the coordination of sign colors and locations.
- (3) Signage plans for unified shopping centers must be submitted as part of any site plan review application filed for a new shopping center or for the substantial renovation of an existing shopping center, subject to the requirements of § 118-1451, Site plan review, and to approval by the Commission. The Commission may waive one (1) or more aspects of these sign regulation standards, up to a maximum of twenty percent (20%), where such a waiver is deemed necessary to improve the overall appearance of the signage plan.
- (4) Ground signs on lots with one hundred (100) feet of frontage or more on one (1) street and with a shopping center of twenty thousand (20,000) square feet or more shall not exceed one hundred (100) square feet in area. Ground signs for unified shopping centers with a gross floor area of one hundred thousand (100,000) square feet or more shall not exceed one hundred and fifty (150) square feet in area. No ground sign shall extend more than twenty (20) feet from the ground to the top of the sign. Such ground signs shall be located a minimum of twenty-five (25) feet from any property line or at the building setback line, whichever is less, and shall otherwise comply with these regulations.

F. Temporary signs. Temporary signs shall comply with the following requirements:

- (1) Signs temporarily affixed to a window or door are permitted, provided that they do not exceed thirty-three percent (33%) of the area of the window or door and are in place for not more than thirty (30) days.
- (2) Special advertising devices for new businesses, such as banners, pennants and streamers, are permitted for not more than thirty (30) days in any twelve-month period.
- (3) Signs or banners for a special event (such as a community or non profit festival or celebration) shall be permitted on buildings or as a free standing sign for not more than thirty (30) days provided that such sign or banner is removed immediately following that event, should it occur prior to the thirty-day limitation. [Amended effective 6-27-2008]
- (4) Real estate signs for a commercial building may be in place for the period of the offering. The size of the sign in a mixed-use or multi-tenant retail building shall be limited by the number of square feet available for lease. The size of the sign in all other commercial buildings shall be limited by gross floor area.

Schedule for Real Estate Signs

Gross Floor Area or Square Feet Available for Lease	Permitted Sign Area (square feet)
Under 20,000 sq ft	12
20,000 - 100,000 sq ft	24
Over 100,000 sq ft	45

G. Off-premises signs.

- (1) The maximum sign area for both faces of an off-premise sign shall not exceed six hundred (600) square feet. This area shall include the border and trim but shall not include the base or apron support and other structural members. [Amended effective 3-26-1993]
- (2) No individual sign face of an off premise sign may exceed a measurement of twelve by twenty-five (12 x 25) feet. [Amended effective 3-26-1993]
- (3) All off-premises signs shall be affixed to the surface of an off-premises sign structure and may not be painted directly on any exposed surface, such as a building wall. The sign structure may extend forward up to eighteen (18) inches from the wall to which it is attached, if any. No part of such a sign shall project in front of any setback line.
- (4) All roof signs shall maintain a minimum clearance of six (6) feet between the roof and the bottom of the sign and shall be constructed of approved and noncombustible materials.
- (5) No roof sign shall be permitted within fifty (50) feet of a residence zone.
- (6) There shall be no more than one (1) roof sign per business or commercial building.
- (7) The minimum distance between off-premises signs on the same side of the street shall be three hundred (300) feet, except that those off-premises signs erected to be visible from any interstate highway shall be subject to a minimum distance of five hundred (500) feet from any other off-premises sign structure on the same side of the street and facing in the same direction.

- (8) Setback requirements shall be the same as the setback requirements for all structures within the zone in which the off-premises sign is located.
- (9) Sign structures shall have a height not to exceed thirty (30) feet. Sign height shall be measured from the center line of the street towards which the sign is oriented.
- (10) The exposed back of all off-premises signs shall be shielded from view from the road by an adjacent building, by the painting of such exposed back by the sign owner, in a neutral color, or by another sign face.
- (11) Off-premises sign structures, if illuminated, shall be illuminated in such a way that no glare is perceived in any adjoining property.
- (12) Before any off-premises sign is constructed or relocated, a sign permit issued by the Building Inspector shall be required in addition to any required state permit.
- (13) The total number of off-premise sign structures, whether conforming or nonconforming to these regulations, within the City of Norwalk shall not exceed **thirty (30)**. After the limit of **thirty (30)** structures is reached, new permits shall not be issued until previously existing sign structures, whether conforming or nonconforming to these regulations, have been permanently removed. An applicant for a new sign permit may be allowed to receive such a permit in excess of the limit upon the applicant's agreement, written on said permit, to dismantle an existing sign structure over one hundred (100) square feet, owned by the applicant. Such a permit shall be automatically voided by the Zoning Inspector if the applicant has not removed said sign structures within thirty (30) days of being granted the new permit. Any off-premises sign in existence at the time of adoption of this amendment and located in a zoning district which permits off-premises signs is hereby declared to be in conformance with the requirements of this subsection, provided that if such structure is destroyed by fire, explosion, act of God or act of public enemy to an extent exceeding fifty percent (50%) of its assessed value, it may be reconstructed, only if the height, bulk, location and use of structure is substantially as it had previously existed, subject to approval by the Director of Planning & Zoning, except as modified to conform with the Flood Hazard zone and Coastal Area Management provisions of these regulations. The owner of such sign structure shall document by A-2 Survey or other means, the height, bulk, location and use of the sign structure as it had previously existed and shall obtain a permit to rebuild said sign within sixty (60) days from the date of its destruction. [Amended effective 2-25-1994; 4-19-1996; 6-28-2019]

H. Signs in development parks. Anything contrary in these sign regulations notwithstanding, the following signage relating to office buildings within a development park shall be permitted. [Added effective 9-28-2001, amended effective 3-29-2013]

1. Signage plans for buildings within a development park must be submitted as part of any Site Plan Review application, or modification of same, filed as required by the provisions of Section 118-1451. The Commission may waive one or more aspects of these special standards under this Section 118-1294(H) pertaining to buildings within a development park up to a maximum of 20% of any dimension, where such a waiver is deemed necessary to improve the overall appearance of the signage plan.
2. Signage plans for individual buildings shall comply with a coordinated signage plan for all buildings within the development park including a comparable location on each building. Such signs shall be uniform in at least two of the following: a) letter height, b) letter type and style, and c) color.
3. Individual buildings in excess of five stories shall be permitted one identifying corporate name and/or logo or a building name and/or logo per building which may be located on not more than

two (2) of the four (4) or more sides of the building within 20 feet of the roof line. Such sign shall consist of letters or logo no taller than 48 inches in height provided a minimum of 70% of the lettering/logo is not taller than 36 inches in height. Such signs shall not exceed one (1.0) square foot in area for each linear foot of the building side on which the sign is located. The name and/or logo may be illuminated, but may not be flashing, animated or have the capacity for changeable copy. In no case shall such sign be above the roofline.

4. One identification/street number/building number sign shall be allowed on each building, the top of which sign shall not be higher than the top of the fascia area between the first and second stories, such stories being measured from the centerline elevation of an adjacent development park private way. Such signs shall not exceed one (1) square foot in area for every four (4) linear feet of the building side or building front on which the sign is located. Sign letters shall not exceed 36 inches in height.
5. Individual buildings shall be entitled to erect one or more pylon or ground signs as follows:
 - a. Ground signs less than 36 inches in height and 12 square feet in area: One such ground sign shall be permitted on any parcel within a development park on which a building is located or adjacent to any common entry way to and from a public way serving such office building provided same is setback at least five (5) feet from any property line. For development parks with more than thirty (30) tenants, such ground sign may be increased to eight and one half (8.5) feet in height and forty eight (48) square feet in area; provided that all such signs are setback a minimum of one hundred and fifty (150) feet from the street and shall list only the major tenants in each building, not to exceed ten (10) per sign. [Amended effective 3-29-2013]
 - b. Ground signs more than 36 inches in height and 12 square feet in area: Such ground signs shall be permitted subject to the following standards: One such ground sign shall be permitted for each building and shall be located adjacent to a common entryway from a public way serving such office building, whether within the building's parcel or not, provided same is setback at least five (5) feet from a public way. Such ground signs shall not exceed sixty-five (65) square feet in area. No dimension of such a ground sign shall exceed twenty (20) feet. The maximum height to the top of any such ground sign shall not exceed ten (10) feet measured from the centerline elevation of an adjacent development park private way as defined herein. When a coordinated sign plan is submitted which reduces the number of such ground signs by thirty three percent (33%) or more, each of the remaining ground signs may be increased to fifteen (15) feet in height, measured from the highest adjacent ground surface, and one hundred (100) square feet in area. provided that no additional waivers are requested. [Amended effective 3-29-2013]
 - c. Location of ground sign. A ground sign located anywhere within the development park identifying a building within the development park shall not be deemed an off-premise sign. Such ground sign may be located at the street line with no setback required, provided that a site plan is submitted demonstrating that the sign will not interfere with vehicle sight lines and that such plan is certified by a licensed land surveyor or civil engineer. [Amended effective 3-29-2013]
- I. Signs in Industrial development parks. Anything to the contrary in these sign regulations notwithstanding, the following signage relating to buildings in an industrial development park shall be permitted. [Added effective 10-26-2001]
 1. Sign area and number of signs: The total area of all on-premise signs for each building (including name identification signs and logos), except for ground signs, shall not exceed two (2) square feet in area for each linear foot of building frontage. No one (1) business use or tenant

shall have more than two (2) signs on the building, except that one (1) additional sign shall be allowed on one (1) side wall of a structure facing two (2) streets and/or development park private way and computed at one (1) square foot for every two (2) linear feet of side wall. In addition, one (1) wall identification sign shall be permitted at a secondary business entrance facing a parking lot, not to exceed one (1) square foot for every four linear feet of secondary wall frontage.

2. One identification/street number/building number sign shall be allowed on each building within an industrial development park, the top of which sign shall not be higher than the top of the fascia area between the first and second stories, such stories being measured from the centerline elevation of an adjacent industrial development park private way. Such signs shall not exceed one (1) square foot in area for every four (4) linear feet of the building side or building front on which the sign is located. Sign letters shall not exceed thirty six (36) inches in height.
3. Letter Height and Sign Location: Lettering on signs on buildings in an industrial development park shall be no larger than thirty-six inches (36") in height. No sign shall project more than twelve inches (12") from the wall to which it is attached, nor shall it extend beyond the corners of a building or above the cornice of a building. Signs should be appropriately placed on the building, but shall not exceed a height of thirty (30) feet from the ground to the top of the sign.
4. Ground Signs. Anything to the contrary in these sign regulations notwithstanding, the following ground signs shall be allowed in industrial development parks where the total acreage of the individual industrial development park or the total acreage of adjacent industrial development parks exceeds fifty (50) acres and is located in one of the city's industrial zones.
 - A. One (1) Ground monument identifying the total industrial development park of fifty (50) acres or more shall be permitted within the perimeter of the total industrial development park, provided such monument complies with the setback requirements of the zone in which it is located. The monument shall not exceed twenty five (25) feet in height from the ground to the top of the sign, and no dimension of such sign shall exceed thirty (30) feet. Sign letters shall not exceed thirty six (36) inches in height and may be illuminated, but may not be flashing, animated or have the capacity for changeable copy. The total area of signage permitted on a ground monument sign shall not exceed one hundred and seventy-five (175) square feet. If the lettering on a monument sign is not contained within a frame or other geometric configuration, the sign area shall be calculated as though it is enclosed by one (1) continuous line connecting the extreme points or edges of lettering.
 - B. One (1) ground sign shall be permitted for the entire industrial development park. The dimensions of such sign shall not exceed four (4) feet in width and twelve (12) feet in length. The maximum height to the top of any such ground sign shall not exceed six (6) feet and shall not be closer than ten (10) feet from any common park entry way to the industrial development park. Letter height of this ground sign shall be limited to twenty-four (24) inches.
 - C. One (1) ground sign shall be permitted for each individual building on each industrial development park parcel. The dimensions of such sign shall not exceed four (4) feet in height and twelve (12) feet in length. The maximum height to the top of any such ground sign shall not exceed four (4) feet, and shall be located no closer than ten (10) feet from any common park driveway into the industrial development park. Letter height of this ground sign shall be limited to twenty-four (24) inches.
 - D. A ground sign located anywhere within the development park identifying a building within the development park shall not be deemed an off-premises sign.

5. Signs indicating height of entry into enclosed parking area shall be exempt from these regulations.
6. Signage plans for buildings within an industrial development park must be submitted as part of any Site Plan Review application, or modification of same, filed as required by the provisions of Section 118-1451. The Commission may waive one or more aspects of these special standards under this Section 118-1294(I) pertaining to buildings within an industrial development park up to a maximum of 20% where such a waiver is deemed necessary to improve the overall appearance of the signage plan.
7. Signage plans for individual buildings within an industrial development park shall comply with a coordinated signage plan for all buildings within the industrial development park including a comparable location on each building. Such signs shall be uniform in at least two of the following:
 - a) letter height, b) letter type and style, and c) color.

§ 118-1295. District sign regulations. [Amended effective 11-28-2003]

- A. Signs in Residence Zones AAA, AA, A, B and C. [Amended effective 5-26-2000, 11-27-2009, 2-25-2011 7-28-2017]
 - (1) The following nonilluminated signs and those permitted in § 118-1293 shall be permitted on each lot, provided that they are setback a minimum of 10 feet from the street line and do not exceed a height of six feet, if a ground sign, nor the height of the first story, if a wall sign:
 - (a) One sign, a maximum of two square feet in area, identifying a profession or occupation permitted as an accessory use on the lot.
 - (b) One sign, a **maximum of** 12 square feet in area, having the name and announcement of uses permitted by special permit on the lot.
 - (c) One sign, a **maximum of** 12 square feet in area, advertising the presence of a nonconforming use located on the premises.
 - (2) One (1) changeable copy (automatic) sign may be permitted on the premises of a public high school, with a student population of at least 1,000 students, provided that: (Added effective 7-28-2017)
 - (a) The changeable copy portion of the sign shall not exceed twenty four (24) square feet; with no more than thirty two (32) square feet of sign area when static portions of the sign are included; and
 - (b) The total square footage of the sign, including columns, does not exceed forty two (42) square feet in area; and
 - (c) The sign is setback from the property line so as to not obstruct visibility within the public travel way, therefore, zoning setback distances do not apply; and
 - (d) The sign does not exceed a total height of six (6) feet; and
 - (e) Lettering height does not exceed eighteen (18) inches; and
 - (f) Any changeable copy shall display only text which identifies school events or public service notices; and
 - (g) Said changeable copy text shall rotate not more than once every thirty (30) seconds and content shall not change more than once per hour; and
 - (h) Said changeable copy must be turned off between the hours of 9:00 p.m. and 7:00 a.m.
 - (3) All other signs are expressly prohibited.
- B. Signs in Residence D Zone. The following unlighted signs, those permitted in § 118-1293, and those listed in Subsection A, shall be permitted on each lot, provided that they are set back a minimum of ten (10) feet from the street line and do not exceed a height of six (6) feet, if a ground

sign, nor the height of the first story, if a wall sign, except as noted in (2) and (3) below. All other signs are expressly prohibited:

- (1) One (1) sign, a maximum of eight (8) square feet in area, identifying the name of a multifamily dwelling.
- (2) Banners, of durable fabric construction, not to exceed a maximum of four (4) banners, each no more than twenty five (25) square feet in size. Such banners shall be securely affixed below the roofline to a structure a minimum of two stories in height and shall constitute an integral part of a school signage program, with no commercial or corporate advertising permitted, subject to review and approval by the Commission and to the submission of annual inspection reports. [Added effective 5-30-1997]
- (3) One (1) additional banner, a maximum of one hundred (100) square feet in area, announcing the designation of a school award. Such banner shall be securely affixed below the roofline, shall contain no commercial or corporate advertising and shall be limited to a period not to exceed one (1) year. [Added effective 6-26-2015]

C. Signs in Planned Residential Developments and Conservation Developments. The following nonilluminated signs and those permitted in § 118-1293 shall be permitted on each lot, provided that they are set back a minimum of ten (10) feet from the street line and do not exceed a height of six (6) feet. All other signs are expressly prohibited:

- (1) One (1) sign per public entrance, which sign identifies the name of the residential development, provided that such sign does not exceed eight (8) square feet in area.

D. Signs in East Avenue Village District. [Amended effective 11-28-2003, 1-29-2010, 9-24-2010; 12-24-2010] The following non-illuminated signs and those permitted in § 118-1293 shall be permitted on each lot, provided that such signs are located a minimum of fifteen (15) feet from the front property line and do not exceed a height of six (6) feet, if a ground sign. A wall sign shall not extend above the lower sill of a second-story window nor above the cornice of a one-story building. All other signs are expressly prohibited:

- (1) One (1) wall sign a maximum of eighteen (18) inches in height and not exceeding one-half (1/2) the length of the front wall of the structure identifying the occupant(s) of the premises. Wall signs shall not project more than twelve (12) inches.
- (2) One (1) ground sign a maximum of ten (10) square feet in area identifying the occupant(s) of the premises.
- (3) All signs in the East Avenue Village District shall use only black letters mounted on a wood surface; plastic, metal and other types of sign materials are not permitted. [Added 9-24-2010]
- (4) One (1) village district sign a maximum of twenty (20) square feet in area identifying the presence of a Village District shall be located on a designated parcel within the district, subject to approval by the Commission. [Added 1-29-2010]

E. Signs in Washington Street Design District. Signs in this district shall maintain and enhance the symmetry of the building facade, shall be aligned with and compatible to signage pertinent to other businesses in the same or adjacent buildings and shall avoid covering or overlapping architectural features of the building, subject to the following provisions:

- (1) The design, proportion and location of the signs shall conform to the guidelines for signs set forth in Sections 4 and 5 of the Washington Street Urban Design Study, June 1978.
- (2) Wall signs shall not exceed in area of one (1) square foot for each one (1) foot in width of the facade which fronts a street or off-street parking facility, shall not project more than twelve (12)

inches from the structure to which it is attached and shall not extend above the sill of the windows of the second floor.

(3) [Deleted effective 6-28-2019]

(4) Projecting signs or symbols are permitted but shall not exceed an area of six (6) square feet and shall not project more than forty (40) inches from the building, shall provide a minimum of eight (8) feet of clearance from a sidewalk and shall not extend above the sills of the windows on the second floor. [Amended effective 12-21-2007]

(5) Off-premises signs shall be prohibited. [Amended effective 9-13-1985]

F. Signs in Reed Putnam Design District. [Added effective 9-13-1985 EN78 ; amended effective 12-27-2002; amended effective 11-25-2016] The signs permitted in Section 118-1293 and in Section 118-1294 A, B, C, D, and E shall be permitted subject to the following provisions:

(1) Wall signs shall maintain and enhance the symmetry of the building facade and shall be compatible to signage pertinent to other businesses in the same or adjacent buildings.

(2) Off-premises signs shall not be permitted.

(3) [Deleted effective 6-28-2019]

(4) In lieu of the sign regulations herein, signs associated with mixed use retail shopping center developments located in Subarea A shall comply with the Exterior Signage manual approved by site plan review by the Commission and with the following additional standards:

a. In accordance with the approved Exterior Signage manual, electronic video screen (EVS) signs shall be permitted on up to two (2) wall signs in a Mixed use retail shopping center development, provided that:

i. EVS signs which directly abut Interstate 95 shall change no more often than once every twelve (12) seconds and shall change by fading to the next sign and shall not include any animation, bursts, scrolling, blinking, or flashing. The electronic video screen (EVS) signs shall be programmed to change simultaneously. Unless modified by the Commission, the EVS signs shall depict the same content on each sign, at all times.

ii. Standards for Luminance: All EVS signs shall be equipped with a functioning mechanism to automatically reduce the luminance of the EVS signs during nighttime hours (1/2 hour before sunset through 1/2 hour after sunrise); and in response to abnormal ambient conditions occurring during daylight hours so that brightness shall be properly adjusted in order to reduce the time for dark adaptation by the driving public. The brightness of all EVS signs shall be calibrated at the lowest intensity possible to allow for ease of viewing safely from the highway and shall be subject to review and approval by the Commission; and

iii. Standards Prohibiting Animation or Special Effects: Animation, flashing, and special effects are prohibited in order to minimize distractions that would otherwise cause a driver to divert attention away from the road ahead; and

iv. Standards for Changeable, Electronic Copy: EVS signs shall change no more often than once every twelve (12) seconds. Each image or block of text shall “dwell” on the display for a minimum of twelve (12) seconds before changing. The transition to the next image or block of text shall be instantaneous and without special effects (such as dissolving or fading out or in). The display of specific prices and percentage discounts on an EVS sign shall be prohibited.

- b. Any modifications to the approved Exterior Signage manual shall require review and approval by the Commission.
- G. Signs in Research and Development Zone. [Amended effective 9-13-1985] The following nonilluminated signs and those permitted in § 118-1293 shall be permitted on each lot, provided that such signs are located to the rear of the front setback line and do not exceed a height of six (6) feet, if a ground sign. All other signs are expressly prohibited.
- (1) Painted wall murals.
 - (2) One (1) sign per public entrance, which sign identifies the name of the company or companies which occupy the premises, provided that such sign does not exceed twelve (12) square feet in area and six (6) feet in height.
- H. Signs in Restricted Industrial Zone. [Added effective 9-13-1985] The following signs and those permitted in § 118-1293 shall be permitted on each lot, provided that they are set back a minimum of ten (10) feet from the street line. All other signs are expressly prohibited.
- (1) One (1) sign per public entrance, which sign identifies the name, address and products of the company or companies which occupy the premises, provided that such sign does not exceed thirty (30) square feet in area.
 - (2) One (1) wall sign, which sign identifies the name of the company or companies which occupy the premises, provided that such sign does not exceed forty (40) square feet in area and twenty (20) feet in length.
 - (3) Signs in Industrial development parks. Anything to the contrary in these sign regulations notwithstanding, all signage in an industrial development park, as herein defined, shall comply with Section 118-1294 (I) Signs in Industrial Development Parks. [Added effective 10-26-2001]
- I. Signs in Central Business Design District. Signs in this district shall comply with the standards set forth in §§ 118-1293 and 118-1294A through E, subject to the following provisions: [Added effective 10-1-1987; amended effective 8-24-2007, 8-29-2008, 2-25-2011, 6-26-2015, 4-29-2016]
- (1) Wall signs shall not exceed an area of one (1) square foot for each one (1) foot in width of the facade which fronts a street or parking facility or through-block arcade, shall not project more than twelve (12) inches from the structure to which it is attached and shall not extend above the sill of the windows of the second floor. In a Design District Development Park, an additional wall sign shall be permitted for each portion of the tenant's facade along a through-block arcade, not to exceed an area of one (1) square foot for each one (1) foot in width of the tenant's facade along the arcade.
 - (2) [Deleted effective 6-28-2019].
 - (3) Banners of durable fabric construction and affixed to the structure so as not to obstruct pedestrian traffic nor project more than thirty-six (36) inches from the building are permitted as permanent signs subject to the approval of the Zoning Inspector.
 - (4) In lieu of an otherwise permitted ground sign, a projecting sign is permitted for each tenant in a multi-tenant building not to exceed an area of six (6) square feet and shall not project more than forty (40) inches from the building, shall provide a minimum of ten (10) feet of clearance from a sidewalk and shall not extend above the sills of the windows on the second floor. In a Design District Development Park, an additional projecting sign shall be permitted for each portion of the tenant's facade along a through-block arcade or fronting a second street. [Added effective 8-24-2007; amended effective 6-2-2015]
 - (5) Off-premises signs shall be prohibited.

(6) In lieu of the sign regulations herein, signs in Design District Development Parks shall comply with the Exterior Signage manual approved by the Commission. Any modifications to the approved Exterior Signage manual requires review and approval by the Commission. [Added effective 4-29-2016]

(7) Subject to site plan approval from the Commission, historic theaters located within the Central Business Design District Subarea A, which are also within a nationally recognized historic district and whose primary function is the performance of music and performance arts for an audience, may erect the following signage in lieu of the sign regulations listed herein: [Added effective 10-27-2017]

A. One (1) marquee sign, provided that:

- i. The total square footage of signage does not exceed two hundred and fifty (250) square feet in area;
- ii. Said marquee sign does not include more than three (3) panels, two (2) of which may contain digital signs advertising the historic theater to which it is attached, events taking place therein and may contain the owners and/or investors of the property;
- iii. Said digital portion does not exceed twenty-five (25) square feet in area (casing included);
- iv. All digital changeable copy text on a marquee sign is programmed to change simultaneously and the interval between sign content changes shall be no less than once every six (6) hours; and
- v. Any marquee sign that extends beyond the property line and into the public right of way obtains permission of the Department of Public Works.

One (1) projecting sign, provided that:

- i. Such sign does not exceed eighty (80) square feet in area;
- ii. does not extend more than ten (10) feet above the roof or highest wall of the building;
- iii. provides a minimum clearance of ten (10) feet from a sidewalk or public walkway; and
- iv. Any projecting sign that extends beyond the property line and into the public right of way obtains permission of the Department of Public Works.

J. Signs in Marine Commercial District. [Added effective 4-29-1988] Signs in this district shall comply with the standards set forth in §§ 118-1293 and 118-1294A through E, subject to the following provisions:

- (1) Wall signs shall not exceed an area of one (1) square foot for each one (1) foot in width of the facade which fronts a street or parking facility.
- (2) Banners of durable fabric construction and affixed to the structure so as not to obstruct pedestrian traffic nor project more than thirty-six (36) inches from the building are permitted, subject to the approval of the Zoning Inspector.
- (3) Off-premises signs shall be prohibited.

K. Signs in South Norwalk Business District. [Added effective 2-26-1999] Signs in this district shall comply with the standards set forth in §§ 118-1293 and 118-1294A through E, subject to the following provisions.

- (1) Off-premise signs shall be prohibited.

L. Signs in Golden Hill Village District. [Added effective 12-24-2010] The following signs and those permitted in Section 118-1293 and Section 118-1294 f. shall be permitted on each lot, provided that such signs are located to the rear of the front setback line and do not exceed a height of six (6) feet, if a ground sign. A wall sign shall not extend above the lower sill of a second-story window nor above the cornice of a one-story building. All other signs are expressly prohibited:

- (1) One (1) wall sign a maximum of twenty-four inches (24") in height and not exceeding two-thirds (2/3) the length of the front wall of the structure or storefront identifying the occupant(s) of the premises. Wall signs shall not project more than twelve (12) inches. For buildings, located on a corner lot, a second wall sign may be installed not exceeding one-half (1/2) the length of the side wall of the structure.
- (2) One (1) projecting sign is permitted not to exceed an area of six (6) square feet and which shall not project more than forty (40) inches from the building, shall provide a minimum of eight (8) feet of clearance from a sidewalk and shall not extend above the sills of the windows on the second floor.
- (3) One (1) village district sign a maximum of twenty (20) square feet in area identifying the presence of a Village District shall be located on a designated parcel within the district, subject to approval by the Commission.

Editor's Note 78: This amendment also provided for the redesignation of former Subsection F as Subsection E and former Subsection E as Subsection G.

Editor's Note: Changeable copy sign (automatic) regulations were deleted effective 2-25-2011

Editor's Note: References to wall mural regulations in the District sign regulations were deleted or revised effective 6-28-2019]

ARTICLE 130, Automobile Trailer Park Regulations [Added effective 5-1-1951, amended effective 1-25-2013]

§ 118-1300. Purpose.

The purpose of this regulation is to prevent a close arrangement or construction of buildings upon the streets, to secure safety from fire and other dangers, to avoid undue concentration of population, and to provide health, comfort and general welfare in living conditions.

§ 118-1310. Definitions.

As used in this regulation, the following words shall have the following respective meanings:

AUTOMOBILE TRAILER or TRAILER COACH -- Any vehicle which is used as sleeping or living quarters which is or may be mounted on wheels, and is or may be propelled either by its own power or by another power-driven vehicle to which it may be attached.

PERMITTEE -- Any person, firm or corporation receiving a permit to conduct or maintain a trailer park.

TRAILER PARK -- A lot or parcel of land which is used or permitted to be used for the parking of an occupied trailer coach or coaches.

§ 118-1320. Unlawful trailer park locations.

No person, firm or corporation shall establish, maintain, conduct or operate any trailer park within an area that is zoned for and limited to residence uses within the City of Norwalk.

§ 118-1330. Location for trailer parks. [Amended effective 12-11-1981]

Trailer parks may be located on land that is zoned for Business Zones No. 1, No. 2 and No. 3, and industrial zones within the limits of the city, provided that a certificate of zoning compliance is obtained from the Zoning Inspector. Said certificate of zoning compliance will only be issued after the Department of Health has certified to the Zoning Inspector compliance with the health provisions hereof and on compliance with the other regulations herein contained. The applicant shall file with his application proof of ownership of the premises or of a lease or written permission from the owner thereof, together with a complete plan, drawn to scale, showing the proposed park, the location of the trailer lots, and such other details as are hereinafter more fully described.

- A. Application for a certificate of zoning compliance shall be made to the Zoning Inspector on a blank form furnished for this purpose by said Zoning Inspector.
- B. The permittee shall pay to the Zoning Inspector the following amount of money for a certificate of zoning compliance to operate a trailer park:
 - (1) If the area in which such trailer or trailer park business is to be operated is two thousand (2,000) square feet or less: ten dollars (\$10.).
 - (2) If the area in which such trailer park or trailer park business is to be operated is in excess of two thousand (2,000) square feet, and not more than ten thousand (10,000) square feet: twenty-five dollars (\$25.).
 - (3) For each additional five thousand (5,000) square feet, or part thereof, on which such business is to be operated: five dollars (\$5.).
 - (4) No trailer park or trailer park business may be occupied until such time as a certificate of zoning compliance has been issued.
- C. Posting of permit. The permit which shall be issued pursuant to the provisions of this regulation shall at all times be posted in a conspicuous place on the premises at which any trailer park is operated.
- D. Limitations. No trailer or trailer park shall be permitted in any residence, business or industrial zone if in any part of the premises intended for such use as part of such park is within two hundred (200) feet of any residence, church, school or public library.

§ 118-1340. Regulations.

For the purpose of these regulations, a trailer lot shall be deemed to be that section of ground in a trailer park used or designed for use as a location for a single automobile and trailer or a single house car.

- A. Parking space. No trailer at any park shall be:
- (1) Parked within thirty (30) feet of any public highway.
 - (2) Parked on any lot less than thirty (30) feet wide and fifty (50) feet deep or of not less than one thousand five hundred (1,500) square feet in area. [Amended effective 6-11-1956]
 - (3) Parked within fifteen (15) feet of any other trailer
 - (4) Parked within six (6) feet of any property line bounding the park.
 - (5) Accessory structures [Added eff 1-25-2013]
 - a. Decks, sheds and similar structures may be erected, constructed and maintained on a trailer lot only as an accessory structure to a trailer located on the same space. Decks shall be at least seven (7) feet from any adjacent trailer on a separate lot. Sheds shall be at least five (5) feet from any adjacent trailer on a separate lot.
- B. Roadways. All trailer lots shall be grouped in blocks, abutting roads or driveways of not less than twenty-five (25) feet in width, giving easy access to and from such lots. Such roadways or driveways shall be properly maintained by permittees so as to prevent ruts, depressions and flying dust. Such roadways or driveways shall be lighted at night with twenty-five-watt lamps at intervals of one hundred (100) feet, located approximately fifteen (15) feet above the ground.
- C. Electric service. An electric outlet supply of at least one hundred ten (110) volts shall be provided for each trailer park.
- D. Adequate supply of clean water from a source approved by the Department of Health shall be obtained at each individual lot from faucets only. Drinking utensils are hereby prohibited at said faucets. Any hose used for distributing water shall, when not in use, be stored in a manner to protect it against contamination and at all times be maintained in a sanitary condition.
- E. Water closets, lavatories, bathtubs or showers and slop sinks. Every trailer park shall have separate and adequately lighted and ventilated toilet rooms for each sex within a distance of not more than two hundred (200) feet of any part of said park with the following minimum sanitary facilities, supplied with running water, provided for each: Water closets shall be provided in the ratio of at least one (1) water closet for every fifteen (15) females or fraction thereof and at least one (1) water closet for every twenty-five (25) males or fraction thereof; in addition, one (1) urinal for each male toilet so provided. Said water closets shall be distinctly marked "Men" and "Women," and the location of the water closets plainly indicated by signs. Such water closet accommodation shall be based on the total park capacity according to the accepted plans and specifications submitted to the Department of Health with the application, and shall be computed on the basis of a minimum of three (3) persons to each trailer. For the purpose of this computation, the sexes shall be considered as being equal in number. There shall be provided in every toilet room, or within ten (10) feet of the entrance thereof, proper facilities for washing hands in the ratio of at least one (1) lavatory or sink for every two (2) or less water closets and urinals. Separate facilities shall be provided for each sex. No drinking-water faucets or outlets shall be placed in any toilet room or water closet compartment. One (1) shower shall be provided for every six (6) trailer lots or fraction thereof up to fifty (50) and one (1) shower for each twelve (12) trailer lots over fifty (50). Toilets and washrooms shall have an adequate supply of hot and cold water, and shall be maintained in a clean and sanitary condition by the permittee. Whenever required by the Department of Health, footbaths shall be installed in each male and female shower room, and

the permittee shall provide for the maintenance of solutions of water and chlorine having an available content of at least one-half of one percent (1/2 of 1%) in such footbaths. Where footbaths are not required, the floor of shower rooms shall be washed down at least twice a day with a chlorine solution of the above-mentioned strength.

- (1) Trailer parks that are to be occupied by an automobile trailer or trailer coach that is independently equipped with flush-type toilets, showers or bathtubs, lavatories and slop sinks which are attached directly to an adequate supply of clean water and are attached to the city sewer system or to an adequate private disposal system of a type to be approved by the Department of Health of the City of Norwalk will not be required to comply with the provisions of this subsection of said trailer park regulations, but in no case shall any trailer park held under a single ownership having more than ten (10) trailer lots thereon be established or expanded with fewer than four (4) toilets and two (2) lavatories for each sex. [Amended effective 4-30-1956; effective 6-11-1956]
- F. Construction. The floors of all water closets or compartments containing bathing facilities shall be constructed and maintained in a waterproof condition by using cement, concrete, tile or other type of waterproofing material.
 - G. Disposal of waste. All excreta and liquid waste from chemical toilets shall be collected in proper receptacles and emptied into suitable sewer or cesspool connected fixtures equipped for flushing and located at or in toilet buildings, completely partitioned for privacy, ventilated and equipped with facility for rinsing containers. Connections to sewers, or sewage disposal systems, shall be trapped to prevent dissemination of odors. Closed seepage pits shall be installed at or near each trailer into which all sink and wash water shall be drained, and the minimum size of which shall be three (3) feet in diameter and four (4) feet deep; provided that trailers connected to an approved sewerage system need not be connected to such pits. Spillage or drainage of waste upon the superficial area of any trailer park is hereby prohibited. The permittee, or employees under his control, shall furnish such services as may be necessary to maintain sanitary conditions at all times. The sewage disposal system shall be installed in accordance with plans approved by the Department of Health and shall be altered or extended or the operation modified whenever required by the Department of Health.
 - H. Garbage and rubbish. Metal containers with tight-fitting covers, appropriately labeled, shall be provided by the permittees for garbage and rubbish. Where mixed collection is practiced, such containers shall be in the proportion of at least one (1) for every two (2) trailers or fractional part thereof. Where separate collection of garbage and rubbish is practiced, there shall be provided at least one (1) garbage container for every four (4) trailers or fractional part thereof and at least one (1) rubbish container for every two (2) trailers or fractional part thereof. All containers for garbage and rubbish shall be emptied every two (2) days and refuse removed from the premises and disposed of in a sanitary manner approved by the Department of Health.
 - I. Grading and drainage. All trailer lots and abutting roads or driveways shall be kept free from heavy or dense growth of brush or weeds and from any poisonous or obnoxious weeds, and so graded as to insure rapid drainage.
 - J. Toilets in trailers. It shall be unlawful for any person to use or permit to be used or operated any toilet installed or maintained in any trailer, except a flue-type chemical or toilet of other type approved by the Health Department, while said trailer is located or parked within the confines of any trailer park.
 - K. Fire protection. Every trailer park shall be equipped at all times with at least one (1) fire extinguisher in good working order for every ten (10) or less trailer lots, located not farther than two hundred (200) feet from each trailer lot. No open fires shall be permitted at any

place which would endanger life or property. No fires shall be left unattended at any time.

- L. Flood protection. All development under these regulations shall be subject to the provisions of Article 110, Flood Hazard Zone. [Added effective 4-24-1978]
- M. Evacuation plan. Mobile home (trailer) parks and mobile home (trailer) subdivisions which are located in Flood Hazard Zones shall file an evacuation plan indicating alternate vehicular access and escape routes with appropriate disaster preparedness authorities for mobile home parks and mobile home subdivisions and shall certify to the Zoning Inspector that such a plan has been approved. [Added effective 4-24-1978]

§ 118-1350. Requirements to ensure continued compliance.

- A. Registration of guests. It shall be the duty of the permittee to keep upon the premises a book register upon which the owner or person in control of the automobile and trailer, or house car, upon arrival shall register his or her name and address and all persons using same, the date of arrival, the state license plate number of the automobile and trailer, or if a house car, the state license number thereon, together with the name of the state issuing such license. The permittee at each trailer park shall each day be responsible for entering the departure of trailers and guests in the book register and for keeping such register in a legible form so as to indicate at all times the trailer count and population at the park to the satisfaction of the Police and Health Departments. Said register shall be available at all times for inspection by representatives of the Police and Health Departments.
- B. Limitation of trailers and population. No person, firm or corporation permitted to operate a trailer park shall allow the parking of trailers to an excess of the number specified in the application and permit under which the trailer park is operated. The permittee shall not admit trailers to trailer parks or permit the parking of trailers if the population per trailer exceeds four (4) persons, unless written approval of the Department of Health has been secured.
- C. Taxation. Each person licensed to operate a trailer park shall, between the first and 15th day of October of each year, file with the Assessors of the City of Norwalk a statement under oath giving the license number of each trailer and each motor vehicle parked and registered at said trailer park on the first day of October of that year.
- D. Posting of regulation. Each permittee operating a trailer park shall cause a legible copy of this regulation to be posted and kept posted at all times in a conspicuous place at such trailer park.

§ 118-1360. (Reserved)EN79.

§ 118-1370. (Reserved)EN80.

Editor's Note 79: Former ' 118-1360, Violations and penalties, as amended, was repealed effective 7-30-1982.

Editor's Note 80: Former ' 118-1370, Validity of regulations, was repealed effective 7-30-1982.

ARTICLE 140, Administration and Enforcement

§ 118-1400. Zoning Commission. [Added effective 12-11-1975; amended effective 5-26-2000; 3-29-2002; 3-24-2017]

- A. The Commission shall continuously review the effectiveness and appropriateness of the Building Zone Regulations and the Building Zone Map and shall make such amendments as it deems necessary, in accordance with Section 8-3 of the Connecticut General Statutes, as amended.
- B. The Commission shall receive and act upon petitions, submitted in writing on a form which it shall prescribe, requesting a change in the regulations or the boundaries of zoning districts, in accordance with Section 8-3 of the Connecticut General Statutes, as amended.
- C. The Commission shall maintain and certify the Building Zone Map and the Building Zone Regulations and shall have copies of each available for purchase by the public, and shall maintain official records of all zoning actions.
- D. The Commission shall receive and hear applications for Special Permits as provided herein.
- E. The Commission shall appoint a Zoning Inspector and such Deputies as it deems necessary. [Amended effective 8-26-1983]
- F. The Commission shall give such advice on zoning matters as requested or which it deems appropriate to the Zoning Inspector, the Zoning Board of Appeals and other city agencies.
- G. The Commission may waive off-street parking requirements subject to § 118-1221 and in accordance with the same procedural requirements set forth in § 118-1450B for the issuance of Special Permits. [Added effective 7-24-1981]
- H. No zoning approval shall be granted until the Commission certifies that the proposal complies with the requirements of P.A. 38-388, An Act Covering Soil Erosion and Sediment Control. [Added effective 6-28-1985]
- I. On any application, the Commission may retain an architect, engineer, landscape architect, professional land use planner, and/or other consultant to review, comment and guide its deliberations. If the Commission determines that such consultant(s) are necessary, the assigned Planning and Zoning staff shall obtain estimates from such consultant(s). The staff shall collect 150% of the estimate from the applicant which shall be held in escrow until the technical reviews are completed. Any excess amount collected over the actual cost shall be refunded to the applicant. This payment shall be considered as an integral part of the application. The failure by the applicant to make this payment shall render the application incomplete. [Added effective 3-24-2017]

§ 118-1410. Board of Appeals. [Amended effective 11-15-1974]

- A. The Board of Appeals may, in specific cases, after public hearing and subject to appropriate conditions and safeguards:
 - (1) Hear and decide appeals where it is alleged there is an error in any order, requirement or decision made by the Zoning Inspector. An appeal from any order, requirement or decision of the Zoning Inspector must be filed at the office of the Zoning Inspector, in writing, on forms prescribed by the Board, within fifteen (15) days of such order, requirement or decision. Such appeal period shall commence for an aggrieved person at the earliest of the following: (1) Upon receipt of the order, requirement or decision from which such person may appeal, (2) upon publication of a legal notice in a newspaper

having substantial circulation in Norwalk, or (3) upon actual or constructive notice of such order, requirement or decision. [Amended effective 7-30-1982, 5-29-2009]

- (2) Hear and decide applications for Special Permits, grants or exceptions in the following situations:
 - (a) Where a zone boundary divides a lot, grant a Special Permit for a use authorized on either portion of such lot to extend to the entire lot, but not more than twenty-five (25) feet beyond the boundary line of the zone in which such use is authorized. The Board shall grant this Special Permit only if it finds the extension will not adversely affect contiguous properties, and it may impose such yard, screening and other requirements deemed necessary for the protection of the other properties mentioned.
 - (b) Grant, without renewal, temporary and conditional zoning approvals for not more than two (2) years for structures and uses in contravention of these regulations. [Amended effective 12-11-1981]
 - (c) Permit the reconstruction of any nonconforming building that may be destroyed either in whole or part by fire or other disaster.
 - (d) Permit a change from a nonconforming use of land or structure to another nonconforming use as per § 118-800C(4). [Added effective 2-24-1989]
 - (e) Grant a Special Exception for the development of a nonconforming lot which is in the same ownership as an adjoining lot as per § 118-800E(2). [Added effective 2-24-1989]
 - (f) Grant a special exception to continue a non-conforming use of land or structure as per section 118-800C(5), where the intent to continue such non-conforming use of land or structure can be demonstrated to the satisfaction of the zoning board of appeals. [Added effective 5-26-2000]
- (3) Vary any requirement of these regulations in harmony with their general purpose and intent, so that substantial justice may be done. This authority shall be exercised in a manner to secure the public health, safety and welfare solely in instances where there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of these regulations. To grant a variance, the Zoning Board of Appeals shall adopt a resolution which shall stipulate the reason for granting the variance.

B. Any variance, grant, exception or Special Permit which is granted by the Zoning Board of Appeals shall be placed upon the land records of the town by filing a record of the variance, grant, exception or Special Permit with the Town Clerk within ninety (90) days of the effective date of such variance, grant, exception or Special Permit.

§ 118-1420. Zoning Inspector. [Added effective 12-11-1975; amended effective 3-24-2006]

A. The Zoning Inspector shall:

- (1) Investigate all suspected violations of these regulations and take any action he deems appropriate to abate violation and enforce compliance in accordance with the General Statutes.
- (2) Advise the Commission and the Zoning Board of Appeals regarding applications before them and recommend amendment of the regulations, map or rules of procedure.

- (3) Advise members of the public on the application of Building Zone Regulations.
 - (4) Perform staff functions as required by the Commission.
 - (5) Issue zoning approvals for all proposed building projects and issue a certificate of zoning compliance for all completed projects complying with the provisions of these regulations. [Added effective 12-11-1981]
- B. Deputy Zoning Inspectors shall perform such duties as may be assigned to them by the Commission. [Amended effective 1-27-1984]
 - C. The Zoning Inspector is authorized to cause any building, structure, place, premises or use 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. Any construction work in violation of these regulations may be ordered stopped by the Zoning Inspector by posting a copy of such order at the site of such construction work. The Zoning Board of Appeals may require the Zoning Inspector to take action he deems appropriate regarding enforcement of any appeal, zoning approval or variance granted under § 118-1410. [Amended effective 12-11-1981]
 - D. Before the construction or alteration of any building or structure or any part of either, the owner or lessee thereof or his agent shall submit to the Zoning Inspector a detailed statement of the specifications of the proposed work, on appropriate blanks to be furnished to applicants by the Zoning Inspector, and plans and structural detail drawings of the proposed work in accordance with § 118-1430, Plats. Such statement and diagram shall constitute an application for a zoning approval to construct or alter. The Zoning Inspector may require such other drawings or statements, including statements under oath, as he may deem necessary to determine the propriety of the proposed construction or addition. [Amended effective 12-11-1981]
 - E. It shall be unlawful to construct or alter any building or structure, or any part thereof, until the application and plans herein required shall have been approved by the Zoning Inspector and a written zoning approval issued. The Zoning Inspector shall approve or reject any application or plan or amendment thereto filed with him within a reasonable time. **However, no zoning permit shall be issued if a violation exists on the property.** [Amended effective 12-11-1981, Amended effective 1-27-2006; Amended effective 3-15-2019]
 - F. The Zoning Inspector may issue a zoning approval for the construction of part of a building or structure when plans and detailed statements have been presented for the same, before the complete plans and detailed statements of said building or structure have been submitted or approved. [Amended effective 12-11-1981]
 - G. No land shall be occupied or used and no building hereafter erected or altered shall be occupied or used in whole or in part for any purpose whatsoever, except for the alteration of or addition to a dwelling, until a certificate of zoning compliance shall have been issued by the Zoning Inspector stating that the premises or building complies with all the provisions of these regulations. Where deemed necessary by the Zoning Inspector, an as-built drawing showing the location of all improvements as constructed in both plan and profile shall be submitted prior to the issuance of a certificate of zoning compliance. Upon the completion of the foundation for any building, unless exempted by the Director of Planning and Zoning, an as-built drawing shall be prepared by a licensed land surveyor certifying that the location of the foundation is in compliance with these regulations. [Amended effective 12-11-1981; 9-24-1982; 2-2-1990; 4-27-1990; 4-24-1992]

- H. EN81 Certificates of zoning compliance may be issued for a property where improvements are not completed if a financial guarantee approved as to form and financial institution by Corporation Counsel in an amount sufficient to cover the cost of the incomplete improvements has been filed, subject to the approval of the Zoning Inspector. The financial guarantee shall be released only after a written request is received and all improvements are complete and are in satisfactory condition. If not satisfactory, within 65 days of release request, the Zoning Inspector shall provide a written explanation to the applicant detailing the outstanding work that must be completed before such financial guarantee or portion thereof may be released. [Added effective 3-1-1985; amended effective 2-2-1990; 1-27-2012, 10-26-2012]
- I. EN82 No change or extension of use and no alteration shall be made in a nonconforming use or premises without a certificate of zoning compliance having first been issued by the Zoning Inspector that such change, extension or alteration is in conformity with the provisions of these regulations. [Amended effective 12-11-1981]
- J. EN83 An application for a certificate of zoning compliance shall be made at the same time that the zoning approval is applied for and shall be issued within ten (10) days after the erection of the building shall have been completed. A record of all certificates shall be kept on file in the office of the Zoning Inspector, and copies shall be furnished upon request to any person having a proprietary or tenancy interest in the building affected. Fees for a certificate of zoning compliance **shall be in accordance with the Schedule of Fees approved by the Commission, effective as of the date of the application.** [Amended effective 12-11-1981; 5-26-1989; 8-29-2003; 12-24-2004; 3-24-2006; 3-28-2008; 4-28-2017]
- K. EN84 No excavation shall be undertaken without a zoning approval issued therefor by the Zoning Inspector. [Amended effective 12-11-1981]
- L. Any zoning approval issued by the Zoning Inspector under the provisions of this section, but under which a building permit has not been issued within one (1) year from the time of issuance, shall expire by limitation. [Amended effective 12-11-1981]
- M. Requirements for a zoning approval prior to the issuance of an electrical permit to add meters to any existing use:
- (1) Prior to the issuance of an electrical permit to add meters to an existing use, zoning approval shall be required.
 - (2) Such approval shall be contingent upon the placing of an affidavit in the Norwalk land records stating the number of meters to be installed without change of use. Such affidavit shall be furnished by the Zoning Inspector.

§ 118-1430. Plats. [Amended effective 4-8-1950; effective 9-15-1975]

All applications for building permits shall be accompanied by a plat in duplicate drawn to scale, showing the actual dimensions of the lot to be built upon, the size of the building to be erected, the locations of buildings upon the lot, the dimensions of all open spaces, the established building lines within the block and such other information as may be necessary to provide for the enforcement of these regulations.

- A. Said plat shall also contain a reference to either a deed or map recorded in the land records of Norwalk by which the plat dimensions can be verified; and the dimensions shown in said plat must conform to those contained in such recorded instrument.

§ 118-1440. Application for zoning change. [Amended effective 6-11-1956; 12-5-1973; 3-1-1985; 6-14-1985; 5-26-1989; 10-27-1995; 5-26-2000; 08-29-2003; 3-24-2006; 4-28-2017]

Any citizen or group of citizens may file with the staff of the Zoning Commission an application for a change in zone boundaries or zoning regulations or an application regarding other matters as may now or hereafter be delegated by law as the responsibility of the Zoning Commission. Such applications shall be in the form prescribed from time to time by the Commission and, where applicable, shall be accompanied by maps or drawings, drawn to a scale of at least four hundred (400) feet to the inch, describing the change desired. **The Commission may fix a reasonable fee, as indicated on the approved Schedule of Fees, effective as of the date of the application, to be paid by the applicant at time of submission of the application.** Legal notice fees shall be the responsibility of the applicant, who will be billed for the payment of legal notice fees directly by the publisher of such notice. Where the application contains a petition for change in zone, the number of properties which shall become nonconforming shall be shown on such map. Official agencies of the city shall be exempt from the fee requirements.

§ 118-1450. Special Permits. [Added effective 12-11-1975; Amended effective 8-29-2003; 3-24-2006; 4-24-2009; 9-25-2009; 9-4-2015, 5-27-2016; 4-28-2017]

A. Statement of purpose. The development and execution of a comprehensive zoning ordinance is based upon the division of the city into districts within which the use of land and structures and the bulk and location of structures in relation to the land are substantially uniform. It is recognized that certain uses and structures, because of their unique characteristics, cannot be specifically classified or regulated in a particular district without consideration in each case of the impact of such uses and structures upon the neighborhood and surrounding area and upon the public health, safety and welfare. Such uses and structures as specified elsewhere in the regulations may be permitted only by Special Permits. When an existing use or structure which is permitted only by special permit is proposed to be extended or altered in a manner which would in any way change the character or intensity of the use or feature, such proposed extension or alteration shall be treated as a new special permit under this section. [Amended effective 9-4-2015]

B. General procedure.

(1) An application for a Special Permit shall be filed with the staff of the Zoning Commission and shall be accompanied by a filing fee **as indicated on the approved Schedule of Fees, effective as of the date of the application, to be paid by the applicant at time of submission of the application.** Legal notice fees shall be the responsibility of the applicant, who will be billed for the payment of legal notice fees directly by the publisher of such notice. The Application shall conform to the requirements of these regulations, including those relating to supporting documents, if applicable, and with such requirements as the Commission may prescribe from time to time. The Application shall be signed by the applicant and, if the applicant is not the owner, the owner of the property. If the applicant is unable to obtain the signature of the owner, the applicant may submit a letter of authorization signed by the property owner. [Amended effective 6-14-1985; 5-26-1989; 10-27-1995; 5-26-2000; 3-29-2002; 8-29-2003; 3-24-2006, 4-24-2009; 4-28-2017]

(a) Notification of Neighbors: All applicants shall notify the owners of land that abut or are directly across the street from the subject parcel no later than ten (10) days after such application is submitted. Mailings shall be evidenced by a certificate of mailing that shall be submitted by the applicant to the Commission on or before the date of the

Commission's action on such application. The name of the owners shall be taken from the latest Tax Assessor records. When a condominium is located across the street, or abuts the subject proposal notification may be sent to the condominium association in lieu of the individual unit owners. [Added effective 5-27-2016]

- (2) Where required by these regulations, an application for village district design review shall be filed with the staff and accompanied by a filing fee of one thousand and five hundred dollars (\$1,500). The Commission shall refer such application to its Village District Consultant to review for compliance with applicable design guidelines. The report of such consultant shall be entered into the public hearing record and considered by the Commission in making its decision. Such fee shall be used by the Commission to compensate the village district consultant; any unused balance shall be returned to the applicant. [Added effective 6-27-2003; amended effective 9-25-2009]
- (3) The Commission shall hold a public hearing on the Special Permit application in accordance with the time periods specified in Sections 8-3c and 8-7d of the Connecticut General Statutes, as amended. [Amended effective 5-28-2004]
- (4) The Commission shall approve, approve with conditions or disapprove the application in accordance with the time periods specified in Sections 8-3c and 8-7d of the Connecticut General Statutes, as amended. In approving the application, the Commission shall set an effective date and may attach such conditions to the Special Permit as shall ensure compliance with the requirements of Subsection C of this section and of any other applicable section of these regulations. The Commission shall set forth the grounds for its action in a report which shall be incorporated into the minutes of its meeting. [Amended effective 5-28-2004]
- (5) Any extension or change of an existing structure or use permitted by Special Permit which substantially changes its character or intensity shall be treated as a new Special Permit.
- (6) The Zoning Inspector shall deliver all resolutions granting Special Permits and maps pertaining thereto to the Town Clerk for recording and filing in the land records of the Town of Norwalk.
- (7) Any Special Permit for which a building permit has not been issued within one (1) year from the effective date shall become null and void, unless an extension of time is applied for and granted by the Commission.
- (8) The Commission may require the applicant to post a financial guarantee with good and sufficient surety to guarantee completion of the site plan or any modifications to the plan and all work required as a condition of approval under a Special Permit. A financial guarantee for any site plan or modifications required by the Commission shall be posted by applicant approved as to form and financial institution by the Commission or Corporation Counsel at any time before completing all site plan modifications, public improvements or utilities. The financial guarantee shall be released only after all improvements are complete and are in satisfactory condition. If not satisfactory, within 65 days of release request, a written explanation shall be provided to the applicant detailing the outstanding work that must be completed before such financial guarantee or portion thereof may be released. Upon completion of required improvements, a maintenance bond shall be posted in the amount of fifteen percent (15%) of the total amount of the original financial guarantee or one thousand dollars (\$1,000.), whichever is greater. The maintenance bond shall be retained for a period of one (1) year after the release of the original financial guarantee in order to insure that the

required improvements are in satisfactory condition. Liability shall be limited to defects in material and workmanship. [Amended effective 7-25-1980; 1-27-2012, 10-26-2012]

C. Standards for Special Permits.

(1) In granting a Special permit, the Commission may attach reasonable conditions and safeguards as it deems necessary to protect the general health, safety, welfare and property values of the neighborhood, including but not limited to, requiring additional screening of lights and parking areas, limiting the hours of operation, requiring the redesign of buildings, and similar types of safeguards or conditions. A Special Permit may be granted after determination by the Commission that the proposed use or structure is in harmony with the general purpose and intent of these regulations and after consideration of the following conditions where applicable: [Amended effective 9-4-2015]

- (a) The density of use and bulk of buildings.
- (b) "Stable traffic flow" shall mean that site-generated traffic shall not adversely affect pedestrian or vehicular safety, conflict with the pattern of highway circulation or increase traffic congestion to a level of service (LOS) considered unacceptable by the Commission. The Commission shall not approve developments which fail to maintain stable traffic flow unless provision has been made for the improvement of inadequate conditions. [Amended effective 4-27-1990]
- (c) Availability of mass transit facilities and provision of sidewalks, with a minimum clearance of five (5) feet without obstructions. [Amended effective 1-29-2016]
- (d) Availability and compatibility of utilities.
- (e) Adverse impact from noise, odor, fumes, dust and artificial lighting.
- (f) Signs of size and design that are in harmony with the neighborhood.
- (g) Adequacy of yards and open space, screening and buffering.
- (h) Impact on neighborhood properties, as compared to uses and structures permitted as a matter of right.
- (i) Existing land use in the area.
- (j) Proximity of community facilities.
- (k) Compliance with the Zoning Code and Plan of Conservation and Development. [Amended effective 11-27-2015]
- (l) Conservation of wetlands, watercourses and other ecologically valuable lands.
- (m) No zoning violation exists on the property. [Added effective 7-20-1984EN]

D. Special Standards for non residential uses in residence zones. In granting a Special permit for a non residential use in a residence zone, the Commission may attach additional requirements in order to protect the general health, safety, welfare and property values of residential neighborhoods, including the following requirements: [Added effective 9-4-2015]

- (1) Minimum lot size: For all properties located in a B, C or D Residence zone, the required minimum lot size needed for a special permit use shall be no less than twice the minimum lot

size as that required for a single family dwelling, as per the Schedule limiting height and bulk of buildings and size of lot: Residential.

- (2) **Building Setbacks:** All buildings shall be setback from front, side and rear property boundaries by an amount not less than the minimum setback specified in the Residential Schedule plus six (6) inches for each foot of building length in excess of forty (40) feet, such length measured parallel to the property boundary. Building setback from a side property line shall not be required to exceed forty (40) feet and the building setback from a front property line shall not be required to exceed twice the minimum front setback standard as that required for a single family dwelling, as per the Schedule limiting height and bulk of buildings and size of lot: Residential.
- (3) **Parking setbacks:** All required vehicle parking areas shall be required to provide a minimum setback of ten (10) feet from side and rear property boundaries.
- (4) Any special permit for a non residential use or structure in existence at the time of adoption of this amendment and located in a zoning district which permits such use or structure is hereby declared to be in conformance with the requirements of this subsection provided that, if such structure is destroyed by fire, explosion, act of God or act of public enemy, to an extent exceeding fifty percent (50%) of its assessed value, it may be reconstructed, only if the height, bulk, location and use of structure is substantially as it had previously existed, subject to approval by the Director of Planning & Zoning, except as modified where necessary to conform with the Flood Hazard zone and Coastal Area Management provisions of these regulations. The owner of such structure shall document by A-2 Survey or other means, the height, bulk, location and use of the structure as it had previously existed and shall obtain a permit to rebuild said structure within one hundred and eighty (180) days from the date of its destruction. No changes in the approved use of the structure are permitted under this regulation.
- (5) An existing special permit structure, previously approved by the Commission and in existence at the time of adoption of this amendment, may be expanded by up to twenty five percent (25%) of its existing floor area provided that the proposed expanded structure complies with the zoning regulations in effect prior to the adoption date of this new Section 118-1450(d). (Adopted effective September 4, 2015) Any such expansion, other than a minor change, shall require a new special permit.

§ 118-1451. Site plan review. [Added effective 6-26-1981; amended effective 12-24-1981; 08-29-2003; 3-24-2006, 4-24-2009, 9-25-2009; 1-27-2012, 5-27-2016; 4-28-2017]

- A. **Statement of purpose.** It is the purpose of site plan review to aid in determining the conformity of a proposed building or use with the specific provisions of these regulations. Only uses and structures as specified elsewhere in the regulations shall be subject to site plan review.
- B. **General procedure.**
 - (1) Where site plan review is required by these regulations, no zoning approval shall be issued by the Zoning Inspector except upon approval of the site plan as set forth herein and in conformity with the approved site plan. Applications for site plan review shall be in a form and contain such information and supporting documents as the Commission may prescribe from time to time. The Application shall be signed by the applicant and, if the applicant is not the owner, the owner of the property. If the applicant is unable to

obtain the signature of the owner, the applicant may submit a letter of authorization signed by the property owner. [Amended effective 3-29-2002]

- (2) An application for site plan review shall be submitted to the staff of the Commission and shall be accompanied by a filing fee **as indicated on the approved Schedule of Fees, effective as of the date of the application, to be paid by the applicant at time of submission of the application.** An application for modifications to an approved plan revised without prior Commission approval shall be accompanied by a filing fee of one thousand dollars (\$1,000). Legal notice fees shall be the responsibility of the applicant, who will be billed for the payment of legal notice fees directly by the publisher of such notice. The staff shall review the site plan for compliance with the applicable provisions of these regulations. [Amended effective 11-16-1984; 5-26-1989; 10-27-1995; 8-29-2003; 3-24-2006, 4-24-2009; 4-28-2017]
 - (a) Notification of Neighbors: All applicants shall notify the owners of land that abut or are directly across the street from the subject parcel no later than ten (10) days after such application is submitted. Mailings shall be evidenced by a certificate of mailing that shall be submitted by the applicant to the Commission on or before the date of the Commission's action on such application. The name of the owners shall be taken from the latest Tax Assessor records. When a condominium is located across the street, or abuts the subject proposal notification may be sent to the condominium association in lieu of the individual unit owners. [Added effective 5-27-2016]
- (3) Where required by these regulations, an application for village district design review shall be filed with the staff and accompanied by a filing fee of one thousand and five hundred dollars (\$1,500). The Commission shall refer such application to its Village District Consultant to review for compliance with applicable design guidelines. The report of such consultant shall be entered into the public hearing record and considered by the Commission in making its decision. Such fee shall be used by the Commission to compensate the village district consultant; any unused balance shall be returned to the applicant. [Added effective 6-27-2003, amended effective 9-25-2009]
- (4) Site plan applications which comply. Applications which comply with these regulations shall be approved or modified and approved by the Commission. [Amended effective 11-16-1984]
- (5) Application for site plan review shall be approved, modified and approved or disapproved in accordance with the time periods specified in Section 8-7d of the Connecticut General Statutes, as amended. If the application is not acted upon within the allotted time period, such inaction shall constitute approval. [Amended effective 5-28-2004]
- (6) A site plan may be modified or denied only if it fails to comply with requirements already set forth in these regulations. A decision to deny or modify a site plan shall set forth the reasons for such denial or modification.
- (7) The Commission may, at its discretion, hold a public hearing on site plan when, in its opinion, the size of the building, the location of the property, the area of the lot, the amount of parking provided and the traffic to be generated creates the potential for a significant impact upon the community or region. Notice of the hearing shall be given in accordance with Section 8-7d of the Connecticut General Statutes, as amended.

- (8) Notice of a decision on a site plan review application shall be sent by certified mail to the person who submitted such plan within fifteen (15) days after the decision is rendered.
 - (9) Any approved site plan for which a building permit has not been issued within one (1) year from the effective date shall become null and void, unless an extension of time is applied for and granted by the Commission.
 - (10) No certificate of zoning compliance shall be issued for a use or structure subject to site plan review until all improvements to the lot have been completed or a financial guarantee in an amount to cover the cost of the incomplete improvements has been approved as to form and financial institution by the Commission or Corporation Counsel and filed with the Zoning Inspector and conditioned to complete the items within a time deemed reasonable by the Zoning Inspector. The financial guarantee shall be released only after all improvements are complete and are in satisfactory condition. If not satisfactory, within 65 days of release request, a written explanation shall be provided to the applicant detailing the outstanding work that must be completed before such financial guarantee or portion thereof may be released. [Amended effective 1-27-2012, 10-26-2012]
 - (11) Any extension or change of an existing structure or use subject to site plan review which substantially changes its character or intensity shall be subject to review and approval as set forth herein.
 - (12) Applications for site plan review shall be referred by the Commission staff to other appropriate city agencies and departments for review and recommendation. [Amended effective 11-16-1984]
- C. Standards for site plan review. In reviewing site plans the following standards shall be taken into consideration:
- (1) [Amended effective 4-27-1990] "Stable traffic flow" shall mean that site-generated traffic shall not adversely affect pedestrian or vehicular safety, conflict with the pattern of highway circulation or increase traffic congestion to a level of service (LOS) considered unacceptable by the Commission. The Commission shall not approve developments which fail to maintain stable traffic flow unless provision has been made for the improvement of inadequate conditions.
 - (2) Off-street parking and loading. All off-street parking and loading areas shall be arranged in an orderly manner so as to provide safe and convenient access for vehicles and pedestrians using the area. Adequate emergency vehicle access shall be provided as determined by the Fire Department.
 - (3) Landscaping and screening. All off-street parking and loading areas shall be landscaped in accordance with § 118-1250 of these regulations. The area between the street line and the front setback line, except for vehicle and pedestrian accessways shall be landscaped with lawns, trees, shrubs or other appropriate planting. Properties used for commercial or industrial purposes shall provide buffer strips in accordance with § 118-1000 of these regulations. Major trees and significant landscape features shall be preserved to the maximum extent practicable and sidewalks, with a minimum clearance of five (5) feet without obstructions, shall be provided. [Amended effective 1-29-2016]

- (4) Illumination. All outdoor lighting and illuminated signs shall be of a reasonable intensity of illumination and shall be shielded so that such lighting will not adversely affect any abutting property, street or navigable waterway.
- (5) Utilities. All sanitary and storm sewers shall be designed and certified by a civil engineer and shall be approved by the Department of Public Works. Proper provision for erosion and sedimentation control shall be made, subject to approval by the Site Planner.
- (6) Impact upon adjacent property. The traffic access, off-street parking and loading, landscaping and screening, illumination and utilities provided for a site shall not be detrimental to the safe and orderly development of any adjacent property.
- (7) No zoning violation exists on the property. [Added effective 1-27-2006]

§ 118-1460. Violations and penalties.

- A. The owner or agent of a building or premises where a violation of any provision of these regulations shall have been committed or shall exist, or the lessee or tenant of an entire building or entire premises where such violation shall have been committed or shall exist, or the owner, agent, lessee or tenant of any part of the building or premises in which such violation shall have been committed or shall exist, or the agent, architect, builder, contractor or any other person who shall commit, take part or assist in any such violation or who shall maintain any building or premises in which any such violation shall exist, shall be subject to **permit revocation and/or** penalties in accordance with the provisions of the Connecticut General Statutes, as now or hereafter amended. The Superior Court of the State of Connecticut shall have jurisdiction of all such offenses subject to appeal as in other cases. [Amended effective 5-26-2000; Amended effective 3-15-2019].
- B. Any such person who, having been served with an order to remove any such violation, shall fail to comply with said order within ten (10) days after such service or shall continue to violate any provision of the regulations in the respect named in such order shall also be subject to a civil penalty in accordance with the provisions of the Connecticut General Statutes, as now or hereafter amended. [Amended effective 2-2-1990; 5-26-2000]
- C. Failure to strictly adhere to any permit issued by this department or the documents, plans, terms, conditions, safeguards, approvals and/or permits approved by the Commission as part of any application, shall be a violation of these Regulations and the Commission shall have the authority to revoke the permit associated with that violation, at any time the operation is found to be in noncompliance with the original permit; provided, the Commission finds that: [Added effective 3-15-2019]
 - 1. the violation(s) is a gross violation of the permit; and
 - 2. staff has demonstrated that the violator is non-responsive to staff requests to remedy the violation; or
 - 3. the violation(s) is repeated after bringing the property into compliance after an initial violation.

Should the Commission conclude that the violation is a gross violation and the violator is not responding to repeated requests from staff to correct the violation or the violation is a repeat offense, the Commission shall hold a public hearing to consider revocation of the permit. The Commission shall notify the violator, the property owner if other than the violator and all owners of land that abut or are directly across the street from the subject parcel no later than ten (10)

days prior to the scheduled hearing date. Mailings shall be evidenced by a certificate of mailing. The name of the owners shall be taken from the latest Tax Assessor records. When a condominium is located across the street, or abuts the subject proposal notification may be sent to the condominium association in lieu of the individual unit owners.

If the Commission determines the permit shall be revoked, they shall direct city staff to pursue all legal remedies to gain compliance.

Regardless of whether the Commission determines that the violation warrants revocation of the permit or not, their finding does not prohibit the pursuit of any other enforcement means available.

§ 118-1470. Validity of ordinance.

If any section, paragraph, subdivision, clause or provision of these regulations shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged, and the remainder of these regulations shall be deemed valid and effective.

§ 118-1480. When effective. [Amended effective 12-11-1975]

These regulations shall take effect October 16, 1929, at 12:00 noon. Amendments are effective on dates indicated within these regulations.

Editor's Note 81: Former Subsection H was redesignated as Subsection I effective 3-1-1985.

Editor's Note 82: Former Subsection I was redesignated as Subsection J effective 3-1-1985.

Editor's Note 83: Former Subsection J was redesignated as Subsection K effective 3-1-1985.

Editor's Note 84: Former Subsection K was redesignated as Subsection L effective 3-1-1985.

SCHEDULE LIMITING HEIGHT AND BULK OF BUILDINGS
COMMERCIAL AND INDUSTRIAL
CITY OF NORWALK
PART 1

ZONES	HEIGHT		MINIMUM SIZE OF PLOT		FRONT	YARDS SIDE	AGG. SIDE	REAR	MAXIMUM BUILDING AREA	FLOOR AREA RATIO MAXIMUM	RECREATION AREA	RESIDENTIAL DENSITY
	MAXIMUM	MINIMUM	MINIMUM AREA	WIDTH								
East Avenue Village District	2 1/2 stories & 35 feet; 3 stories and 35 feet for hotels on a parcel of three (3) acres or more		10,000 sq ft	60 feet	40 feet Subject to Sect 118-1000B	10 feet	25% subject to 118-500(B)(4)	20%, minimum 15 feet, need not exceed 20 feet	20% for buildings			
Solden Hill Village District	2 1/2 stories & 35 feet		5,000 sq ft	50 feet	5 feet	None	None	10 feet except where residence zone abuts, then 10 feet per story or 20 feet whichever is greater, subject to 118-1000F	35% for buildings, 80% for buildings and parking, 20% open space	0.7	200 sq ft per dwelling unit, except for elderly & Congregate high 125 sq ft per dwelling unit	1,650 sq ft of lot area per dwelling unit
Neighborhood Business	2 1/2 stories & 35 feet	2 stories and 25 feet, subject to 118-510 C(4)	5,000 sq ft	50 feet	35 feet from centerline Subject to Sect 118-1000B	None except where residence zone abuts 10 feet per story or 20 feet whichever is greater, subject to 118-1000F	None except where residence zone or coastal waters about 10 feet per story or 20 feet whichever is greater, subject to 118-1000F	10 feet except where residence zone or coastal waters about 10 feet per story or 20 feet whichever is greater, subject to 118-1000F	35% for buildings, 80% for buildings and parking, 20% open space	0.7	200 sq ft per dwelling unit & Congregate housing 125 sq ft per dwelling unit	1,650 sq ft of lot area per dwelling unit
South Norwalk Business District	12 stories & 150 feet	2 stories and 25 feet, subject to 118-520 C(4)	None	None	25% of length of the block front is occupied by buildings on the street line or within one foot of the streetline, then no setback will be required. Subject to Sect 118-1000B	None	None	On interior lots, 10% need not exceed 10 feet beginning at second story sill level or more than 20 feet above centerline elevation of the street. None required on corner lots.	On interior lots, 90% beginning on second story sill level or more than 20 feet above centerline elevation of the street.			1,650 sq ft of lot area per dwelling unit; 785 sq ft of lot area per dwelling unit for developments of 19 units or less, as per Section 118-520 C(1)
Townayton Avenue Village District	2 1/2 stories & 35 feet, subject to Section 118-530(C)(6)	5,000 sq ft	50 ft	50 ft	35 feet from centerline Subject to Sect 118-1000B	None	40% subject to 118-530(C)(2) and (7)	10 feet for bldg & parking, except where coastal waters abut, 15 feet	35% for buildings & parking	0.7, subject to Section 118-530(C)(7)		
Research and Development	2 stories & 35 feet	10 acres	Such that a circle with a 400 ft diameter will fit on the lot	80 feet from centerline Subject to Sect 118-1000B	25% need not exceed 80 feet	None	50% need not exceed 160 feet	25% need not exceed 80 feet	10% for buildings, 25% for building & paved areas			
Silvermine Tavern Village District	See underlying zone for single family uses, Village District; Existing nonconforming buildings; none; additions and new structures see B(2)(e) for single family cluster housing, maximum of thirty-five 35 feet to peak for barn structures	See underlying zone for single family uses, Village District; Existing nonconforming buildings; none; additions and new structures see B(2)(e) for single family cluster housing, maximum of thirty-five 35 feet to peak for barn structures	See underlying zone for single family uses and accessory uses, Village District; Existing nonconforming buildings; none; additions and new structures 15 feet, subject to Section 118-531(D)(2)	See underlying zone for single family uses and accessory uses, Village District; Existing nonconforming buildings; none; additions and new structures 15 feet, subject to Section 118-531(D)(2)	See underlying zone for single family uses and accessory uses, Village District; Existing nonconforming buildings; none; additions and new structures 15 feet, subject to Section 118-531(D)(2)	See underlying zone for single family uses and accessory uses, Village District; Existing nonconforming buildings; none; additions and new structures 15 feet, subject to Section 118-531(D)(2)	See underlying zone for single family uses and accessory uses, Village District; Existing nonconforming buildings; none; additions and new structures 15 feet, subject to Section 118-531(D)(2)	See underlying zone for single family uses and accessory uses, Village District; Existing nonconforming buildings; none; additions and new structures 15 feet, subject to Section 118-531(D)(2)	See underlying zone for single family uses; Village District uses; 60% buildings & parking			See underlying zone for single family uses
Industrial #1	4 stories & 50 feet; 6 stories & 72 ft on lots 30 acres or larger; Multifamily and mixed use developments subject to Section 118-700 B.2.(b)(1)-(4)	5,000 sq ft	50 ft	35 feet from centerline subject to Sect 118-1000B; except for multifamily and mixed use developments which shall be located not more than ten (10) feet from property line, subject to 118-700 C.(6)	None except where residence zone abuts 10 feet per story or 20 feet whichever is greater, subject to 118-1000F; None for multifamily and mixed use developments	None except where residence zone or coastal waters about 10 feet per story or 20 feet whichever is greater, subject to 118-1000F; None for multifamily and mixed use developments	None except where residence zone or coastal waters about 10 feet per story or 20 feet whichever is greater, subject to 118-1000F; None for multifamily and mixed use developments	10 feet except where residence zone or coastal waters about 10 feet per story or 20 feet whichever is greater, subject to 118-1000F; None for multifamily and mixed use developments	50% for buildings, 90% for buildings and parking; None for multifamily and mixed use developments in transit oriented developments	1.0; 2.0 for Multifamily and mixed use developments in transit oriented developments	150 sq ft per dwelling unit, may include balconies, courtyards, indoor recreational facilities, landscaped patios and outdoor recreational areas	Multifamily and mixed use developments subject to Section 118-700 B.2.(b)(1)-(4)
Light Industrial #2	4 stories & 55 feet	3 acres	None	30 feet Subject to Sect 118-1000B	30 feet except when bounded by residential zone, then 50 feet	60 ft except when bounded by residential zone, then 100 feet	80 ft except when bounded by residential zone, then 100 feet	30 ft except when bounded by residential zone, then 50 feet	40%			
Restricted Industrial	4 stories & 55 feet	43,560 sq ft	100 ft	30 feet Subject to Sect 118-711C	None except where provided shall be minimum of 10 ft	10 feet	10 feet	10 feet	50%			

at: 4/25/94, as revised to Aug 30, 2002, June 27, 2003, Oct. 26, 2007, June 27, 2008, July 25, 2008, Mar. 27, 2009, Jan. 29, 2010, Oct. 29, 2010, Sept 30, 2011, July 27, 2012; Feb. 28, 2014, Oct 24, 2014, Feb 27, 2015, Feb 26, 2016, Oct 28, 2016 & June 28, 2019. Note: See copy of Building Zone Regulations in P&Z office for amendment and revision dates.

SCHEDULE LIMITING HEIGHT AND BULK OF BUILDINGS
COMMERCIAL AND INDUSTRIAL
CITY OF NORWALK
PART 2

ZONES	HEIGHT		MINIMUM SIZE OF PLOT			YARDS			MAXIMUM FRONT YARD	MAXIMUM BUILDING AREA	FLOOR AREA RATIO MAXIMUM	RECREATION AREA	RESIDENTIAL DENSITY
	MAXIMUM	MINIMUM	AREA	WIDTH	DEPTH	FRONT	SIDE	ACG. SIDE					
Washington Street Design District	4 stories and 50 feet, with bonus, 5 stories and 72 feet	2 stories and 25 feet; Subject to §118-501D(6)	None	None	None, Subject to §118-501E(3)	None, Subject to §118-501E(3)	None, Subject to §118-501D(4)	10 feet, subject to Sect 118-501D(4)	90%				
Executive Office	8 stories and 100 feet, except that hotels to a maximum height of 72 stories and 150 ft shall be allowed	2 stories and 25 feet, subject to 118-503 C(3)	21,780 sq ft	100 feet	50 feet from centerline of street Subject to Sect 118-1000B	None	None	10 feet	50% for buildings, 70% for buildings and parking, 30% open space subject to Sect 118-503C(4)	1.0 for less than 1 acre subject to Sect 118-503C(1); 1.25 for 1 acre to 1.99 acres; 1.5 for 2 acres or larger			
Business #1	4 stories and 50 feet	2 stories and 25 feet, subject to 118-521 C(2)	12,500 sq ft	50 feet	45 feet from centerline of street Subject to Sect 118-1000B	None, except where residence zone abuts, 10 feet per story or 30 feet, whichever is greater, subject to 118-1000F	None, except where residence zone abuts, 10 feet per story or 30 feet, whichever is greater, subject to 118-1000F	10 feet, except where residence zone abuts, 10 feet per story or 30 feet, whichever is greater, subject to 118-1000F	50% for buildings, 70% for buildings and parking, 30% open space subject to Sect 118-521C(3)	1.0, subject to Section 118-521C(6)a.			
Business #2	3 stories and 35 feet, except that multifamily dwellings & mixed use development to a maximum height of 4 stories and 45 feet shall be allowed	2 stories and 25 feet, subject to 118-522 C(2)	12,500 sq ft	50 feet	45 feet from centerline of street Subject to Sect 118-1000B	None, except where residence zone abuts, 10 feet per story or 30 feet, whichever is greater, subject to 118-1000F	None, except where residence zone abuts, 10 feet per story or 30 feet, whichever is greater, subject to 118-1000F	10 feet, except where residence zone abuts, 10 feet per story or 30 feet, whichever is greater, subject to 118-1000F	50% for buildings, 80% for buildings and parking, 20% open space subject to Sect 118-522C(3)	9			
Marine Commercial Zone	4 1/2 stories and 52 feet above base flood level as defined in Article 110		None	None	None	None	20% of lot width, not to exceed 20 feet	30 feet from mean high water, except that lots which do not abut navigable waters need only provide a setback of 15 feet	35% for buildings, 80% for buildings & parking	1.0	150 sq ft per dwelling unit may include balconies, courtyards, indoor recreational facilities, landscaped roofs and outdoor recreational areas, exclusive of the required	1 dwelling per 2,000 sq ft of land area	
Non-Station Design District	6 stories and 72 feet for residential and/or office uses; 6 stories and 76 feet if a ground floor retail or other active use is provided; 7 stories and 80 feet for commuter parking garage; in a Special Flood Hazard Area, height shall be measured above Base Flood Elevation in the manner described in §118-1100. All stories above the fourth floor, when fronting on a street, must be setback at least ten (10) feet from the fourth floor building facade.	2 stories or 25 feet for buildings within 200 feet of a public street; except for railroad station buildings	One half acre	None	None	None	None	None	90% for buildings with a minimum of 15% open space, provided that, in mixed use developments, a minimum 20% open space is required, of which a minimum of 10% must be devoted to Public Realm Uses	For Lots less than one acre, 1.5; for Lots one acre or larger, 2.0	150 sq ft per dwelling unit may include balconies, courtyards, indoor recreational facilities, landscaped roofs and outdoor recreational areas	1 dwelling per 500 sq ft of land area	
Hospital Zone	5 stories and 60 feet; subject to Sect 118-440E(4)		15 acres	300 feet	See A-2 survey of Hospital Zone properties showing minimum required building setbacks, entitled "Map of Property Prepared for Norwalk Hospital Association" and filed in the Norwalk Land Records	See A-2 survey of Hospital Zone properties showing minimum required building setbacks, entitled "Map of Property Prepared for Norwalk Hospital Association" and filed in the Norwalk Land Records	See A-2 survey of Hospital Zone properties showing minimum required building setbacks, entitled "Map of Property Prepared for Norwalk Hospital Association" and filed in the Norwalk Land Records	See A-2 survey of Hospital Zone properties showing minimum required building setbacks, entitled "Map of Property Prepared for Norwalk Hospital Association" and filed in the Norwalk Land Records	50% for buildings; 75% for buildings and parking; 25% open space	1.0			
Commercial Planned Residential Development	11 stories and 125 feet		21,780 sq. ft.	100 feet	50 feet from centerline of street Subject to Sect 118-1000B	0 feet	20 feet	5 feet	50% for buildings; 70% for buildings and parking; 30% open space, subject to Sect 118-760C(3)	2.0	150 sq ft per dwelling unit, subject to Sect 118-760C(2)	500 sq ft of lot area per dwelling unit	

Adopted: 4/21/00 as revised to Aug. 30, 2002, Nov. 24, 2006, Mar. 27, 2009, Feb. 28, 2014, Apr. 24, 2015 and April 27, 2018. Note: See copy of Building Zone Regulations in P & Z office for amendment and revision dates.

**REED PUTNAM DESIGN DISTRICT
SCHEDULE LIMITING HEIGHT AND BULK OF BUILDINGS
CITY OF NORWALK**

SUBAREA A						
Maximum Residential Density and Minimum Office or Mixed Use Retail Shopping Center Development	Maximum Office, Mixed Use Retail Shopping Center Development & Mixed Use Building Height	Maximum Parking Garage Height	Minimum Size of Plot	Minimum Yards	Maximum Building Area	Maximum Floor Area Ratio
1,650 square feet of lot area per dwelling unit, 100,000 sq ft office or 500,000 sq. ft. Mixed use retail shopping center development	15 stories office; 8 stories Mixed use retail shopping center development and 18 stories residential or hotel and 200 feet; subject to Section 118-502C(1)(b) & (d)	6 stories and 72 feet, except that a green roof located on top of such structure shall not count as a story, subject to Section 118-502C(1)(b)	24,780 sq. ft.; subject to Section 118-502C(1)(b) & (d)	None	85% for buildings and parking; subject to Section 118-502C(1)(b) and (d)	2.0; subject to Section 118-502C(1)(d); Mixed use retail shopping center development 2.7 on any individual lot, but not to exceed 2.2 as computed on the basis of all parcels or parcels of land in a project, subject to Section 118-502C(1)(b)
SUBAREA B						
Maximum Residential Density and Minimum Office	Maximum Office & Mixed Use Building Height	Maximum Parking Garage Height	Minimum Size of Plot	Minimum Yards	Maximum Building Area	Maximum Floor Area Ratio
1,650 square feet of lot area per dwelling unit, 75,000 sq ft office	10 stories and 120 feet, subject to Section 118-502C(2)(d)	100 guest rooms	21,780 sq. ft.; subject to Section 118-502C(2)(d)	None	75% for buildings and parking; subject to Section 118-502C(2)(d)	2.0; subject to Section 118-502C(2)(d)
SUBAREA C						
Minimum Residential Density	Maximum Residential Building Height	Maximum Hotel Building Height	Maximum Parking Garage Height	Minimum Size of Plot	Minimum Yards	Maximum Building Area
1,500 sq ft of lot area per unit	6 stories and 72 feet	200 guest rooms	4 stories and 35 feet	87,120 sq ft (2 acres)	None	80% for buildings and parking
Maximum Residential Density	Maximum Mixed Use Building Height	Maximum Hotel Building Height	Maximum Parking Garage Height	Minimum Size of Plot	Minimum Yards	Maximum Floor Area Ratio
2,000 sq ft of lot area per unit	8 stories and 110 feet	12 stories and 150 feet	4 stories and 35 feet	43,560 sq ft (1 acre)	90% for buildings and parking	2.0 for multifamily dwellings; 2.0 for mixed use; 5.0 for hotels
SUBAREA D						
Minimum Residential Density	Maximum Residential Density	Maximum Parking Garage	Minimum Size of Plot	Minimum Yards	Maximum Building Area	Maximum Floor Area Ratio
None	700 sq ft of lot area per unit	6 stories and 72 feet	43,560 sq ft (1 acre)	None	90% for buildings and parking	2.0
SUBAREA E						
Minimum Residential Density	Maximum Residential Density	Maximum Residential Building Height	Minimum Size of Plot	Minimum Yards	Maximum Building Area	Maximum Floor Area Ratio
None	1,500 sq ft of lot area per dwelling unit	4 stories and 50 feet	Multifamily dwellings and elderly housing: 7,500 sq ft; elderly housing: 40% need not exceed 60 ft, rear 30 ft; subject to 118-502(5)(d)(2); Mixed use, commercial and industrial uses: none	None	50% for building, 80% for parking garage	1.0 for multifamily dwellings and elderly housing; 1.0 for other uses

Dated: 10/15/99 as revised to August 30, 2002, February 25, 2005, October 28, 2007 & June 10, 2016. Note: See copy of Building Zone Regulations in P & Z office for amendment and revision dates.

**SCHEDULE LIMITING HEIGHT AND BULK OF BUILDINGS
RESIDENTIAL
CITY OF NORWALK
PART 1**

ZONES	MAXIMUM HEIGHT	2		3	4			5	6	7	8	9	10
		MINIMUM SIZE OF PLOT AREA	WIDTH		FRONT	REAR	AGG. SIDE						
Island Conservation	2 1/2 stories & 25 feet	87,120 sq ft (2 acres) per dwelling unit	None Subject to Sect 118-300C(4)	25 feet Subject to Sect 118-300C(4)	50 feet Subject to Sect 118-300C(4)	25 feet Subject to Sect 118-300C(4)	50 feet Subject to Sect 118-300C(4)	None	None	25 feet Subject to Sect 118-300C(4)	None	None	-
Conservation Developments AAA, AA & A	2 1/2 stories & 35 feet	AAA Res 43,500 sq ft per dwelling unit, 5 acres minimum; AA Residence 21,780 sq ft per dwelling unit, 4 acres minimum; A Residence 12,500 sq ft per dwelling unit, 3 acres minimum; Subject to Sect 118-410C(3)	None Subject to Sect 118-410 this schedule Columns 4, 5, 6 and 7	40 feet	40 feet	40 feet	80 feet	20% main building 5% accessory building	20 feet Subject to Section 118-410G	20 feet Subject to Section 118-410G	20 feet Subject to Section 118-410G	Conservation Land Subject to Section 118-410D	
AAA Residence	2 1/2 stories & 35 feet, maximum of 40 feet to peak; except for structures located in flood zones A or V, where one (1) additional foot in height shall be permitted to the midpoint and to the peak	43,560 sq ft	150 ft	40 feet	30% need not exceed 30 feet	30% need not exceed 30 feet	30% need not exceed 60 feet	25%	8 feet	8 feet	8 feet	8 feet	-
AA Residence	2 1/2 stories & 35 feet, maximum of 40 feet to peak; except for structures located in flood zones A or V, where one (1) additional foot in height shall be permitted to the midpoint and to the peak	21,780 sq ft	100 ft	40 feet Subject to Section 118-900F	15% need not exceed 20 feet	15% need not exceed 20 feet	30% need not exceed 40 feet	25%	8 feet	25% need not exceed 25 feet	25%	8 feet	-
A Residence	2 1/2 stories & 35 feet, maximum of 40 feet to peak; except for structures located in flood zones A or V, where one (1) additional foot in height shall be permitted to the midpoint and to the peak	12,500 sq ft	100 ft	40 feet Subject to Section 118-900F	10 feet	10 feet	25%	25%	20% need not exceed 20 feet	25%	25%	8 feet	-
B Residence	2 1/2 stories & 30 feet, maximum of 38 feet to peak; except for structures located in flood zones A or V, where one (1) additional foot in height shall be permitted to the midpoint and to the peak	6,250 sq ft	50 ft	30 feet Subject to Section 118-900F	6 feet	6 feet	25%	25%	15% need not exceed 15 feet	25% - 35% subject to Section 118-340(C)(3)	25% - 35% subject to Section 118-340(C)(3)	8 feet	-
C Residence 1-2 dwelling units	2 1/2 stories & 30 feet, maximum of 38 feet to peak; except for structures located in flood zones A or V, where one (1) additional foot in height shall be permitted to the midpoint and to the peak	5,000 sq ft 1 dwelling unit 6,000 sq ft 2 dwelling units	50 ft	30 feet Subject to Section 118-900F	6 feet	6 feet	25% for lots over 50 feet	25%	15 feet	25% - 35% subject to Section 118-350(C)(3)	25% - 35% subject to Section 118-350(C)(3)	8 feet	-
D Residence 1-2 dwelling units	2 1/2 stories & 30 feet, maximum of 38 feet to peak; except for structures located in flood zones A or V, where one (1) additional foot in height shall be permitted to the midpoint and to the peak	5,000 sq ft 1 dwelling unit 6,000 sq ft 2 dwelling units	50 ft	30 feet Subject to Section 118-900F	6 feet	6 feet	25% for lots over 50 feet	25%	15 feet	25% - 35% subject to Section 118-360(C)(4)	25% - 35% subject to Section 118-360(C)(4)	8 feet	-
D Residence 3-6 dwelling units	2 1/2 stories & 35 feet, subject to Section 118-360(C)(6)	1,650 sq ft per dwelling unit 7,500 sq ft minimum	80 feet	30 feet Subject to Section 118-360(C)(6)(a)	10 feet	10 feet	25% for lots over 80 feet	25% for lots over 80 feet	20 feet Subject to Section 118-360(C)(6)(b)	30%, 60% buildings & parking	30%, 60% buildings & parking	10 feet	200 sq ft per dwelling unit Subject to Sect 118-360B(2)(o)
D Residence over 6 dwelling units	3 1/2 stories and 40 feet; maximum of 48 feet to peak, subject to Section 118-360(C)(7)	1,650 sq ft per dwelling unit, 12,000 sq ft minimum	100 ft	20 feet per story 30 feet minimum Subject to Section 118-900B and F & Section 118-360(C)(7)(a)	50 feet	50 feet	40% need not exceed 60 feet subject to Section 118-360(C)(7)(b)	40% need not exceed 60 feet subject to Section 118-360(C)(7)(b)	20 feet per story 30 feet minimum 50 feet maximum subject to Section 118-360(C)(7)(b)	25%; 65% buildings & parking	25%; 65% buildings & parking	10 feet (one way) 20 feet (two way)	200 sq ft per dwelling unit Subject to Sect 118-360B(2)(o)
D Residence over 6 dwelling units Elderly Housing	Same as applicable to D Residence requirements over 6 dwelling units	1,250 sq ft per dwelling unit	Same as applicable to D Residence requirements over 6 dwelling units	Same as applicable to D Residence requirements over 6 dwelling units	Same as applicable to D Residence requirements over 6 dwelling units	Same as applicable to D Residence requirements over 6 dwelling units	Same as applicable to D Residence requirements over 6 dwelling units	Same as applicable to D Residence requirements over 6 dwelling units	Same as applicable to D Residence requirements over 6 dwelling units	25% for 1 & 2 story bldgs; 20% for 3 & 4 story	25% for 1 & 2 story bldgs; 20% for 3 & 4 story	Same as applicable to D Residence requirements over 6 dwelling units	125 sq ft per dwelling unit Subject to Sect 118-360B(2)(p)
D Residence over 6 dwelling units Congregate Housing	Same as applicable to D Residence requirements over 6 dwelling units	1,000 sq ft per dwelling unit, 500 sq ft per dwelling unit in Business No. 2 zones	Same as applicable to D Residence requirements over 6 dwelling units	Same as applicable to D Residence requirements over 6 dwelling units	Same as applicable to D Residence requirements over 6 dwelling units	Same as applicable to D Residence requirements over 6 dwelling units	Same as applicable to D Residence requirements over 6 dwelling units	Same as applicable to D Residence requirements over 6 dwelling units	Same as applicable to D Residence requirements over 6 dwelling units	Same as applicable to D Residence requirements over 6 dwelling units	Same as applicable to D Residence requirements over 6 dwelling units	Same as applicable to D Residence requirements over 6 dwelling units	100 sq ft per dwelling unit Subject to Sect 118-360B(2)(q)

Dated: 2/25/96 as revised April 28, 2006, August 25, 2006, November 24, 2006 and September 26, 2008. Note: See General Code copy of Building Zone Regulations in P & Z office for complete information on amendments and revision dates.




CENTRAL BUSINESS DISTRICT (CBD) & CENTRAL BUSINESS DISTRICT WATER (CBD-W)
 SCHEDULE LIMITING HEIGHT AND BULK OF BUILDINGS
 COMMERCIAL AND INDUSTRIAL
 CITY OF NORWALK

HEIGHT	MAXIMUM	<p>6 stories, 75 ft, except that:</p> <ol style="list-style-type: none"> 1. Through the granting of a special permit and approval from the Redevelopment Agency, Building height and number of stories on West Avenue may be increased to: <ol style="list-style-type: none"> a. 7 stories, 85 ft, provided that a minimum of two (2) stories are comprised of commercial uses. b. 8 stories, 100 ft, provided that a minimum of three (3) stories are comprised of commercial uses. c. 10 stories, 120 ft, for hotels. 2. Commerce St., Isaac St. & Wall St., shall not exceed 4 stories, 55 ft, except that developments may be built to 5 stories, 65 ft, provided 2 amenity bonus provisions are included, as approved by the Commission and Redevelopment Agency. 3. Belden Ave, Burnell Blvd, Cross St, Main St, North Ave & Smith St, shall not exceed 4 stories, 55 ft., except that developments may be built to 6 stories, 75 ft, provided 3 amenity bonus provisions are included, as approved by the Commission and Redevelopment Agency.
	ADDITIONAL HEIGHT STANDARDS	<ol style="list-style-type: none"> 1. The upper story facades, commencing at either the third, fourth or fifth floor, must be set back a minimum of ten (10) feet from the second floor building façade. However, through the granting of a special permit, the Commission may eliminate the 10-foot upper story setback requirement provided they make an affirmative finding that: <ol style="list-style-type: none"> a. the proposed design will provide for excellence in design which enhances the pedestrian experience and overall streetscape; and b. due to the location and/or design of the proposed use and the size of existing neighboring structures, no neighboring property will be adversely impacted by such structure. 2. When abutting a residential use in a residential zone, or a religious use, any story above the fourth floor shall be set back a minimum of 20 feet from the property line. 3. In a Special Flood Hazard Area, height shall be measured above Base Flood Elevation in the manner described in §118-1100.
	MINIMUM	2 stories or 30 feet for buildings within 200 feet of a public street.
MINIMUM SIZE OF PLOT	AREA	10,890 sq ft
	WIDTH	50 feet
	FRONT SIDE	None
	AGG. SIDE	None
	REAR	10 feet
MAXIMUM FRONT YARD		10 feet from the property line or from the edge of any public improvements required as part of the development
MAXIMUM BUILDING AREA		90% for buildings with a minimum of 15% open space, provided that, in mixed use developments, a minimum 20% open space is required, of which a minimum of 10% must be devoted to Public Realm Uses
FLOOR AREA RATIO MAXIMUM		<ol style="list-style-type: none"> 3.0, except that: <ol style="list-style-type: none"> a. 4.0 for hotels, through the granting of a special permit b. 4.0 for buildings greater than 6 stories, through the granting of a special permit, provided that a minimum of three (3) stories are comprised of commercial uses c. No FAR shall apply for properties fronting Wall St., provided that a property containing a structure listed on a local, state or national historic inventory is not merged with any abutting parcels <p>For properties where the principal ground floor use (comprising at least 75% of the lot width) is a theater or auditorium for use by cultural arts and entertainment or a library, 4.0</p>
RECREATION AREA		150 sq ft per dwelling unit may include balconies, courtyards, indoor recreational facilities, landscaped roofs and outdoor recreational areas
RESIDENTIAL DENSITY		1 dwelling unit per 500 sq ft of lot area



Dated: 4/25/04, as revised to Oct. 26, 2007, June 27, 2008, July 25, 2008, Mar. 27, 2009, Jan. 29, 2010, Oct. 29, 2010, Sept. 30, 2011, July 27, 2012, Feb. 28, 2014, Oct. 24, 2014, Feb. 27, 2015, Feb. 26, 2016, Oct. 28, 2016 & June 28, 2019. Note: See copy of Building Zone Regulations in P&Z office for amendment and revision dates.

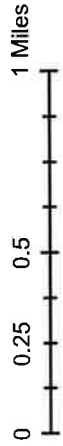
City of Norwalk Building Zone Map

Legend

-  Norwalk City Boundary
-  Aquifer Protection Area
-  Coastal Area Management Boundary

Major Roads

-  State
-  US

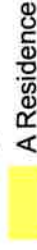
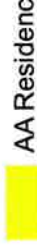




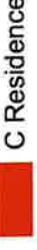
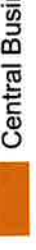

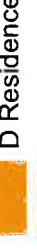








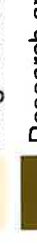
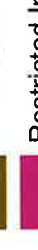
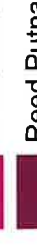
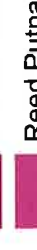
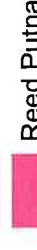
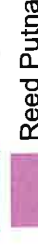
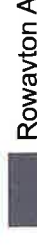
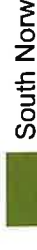
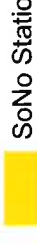
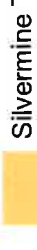


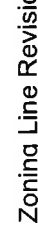


1 inch = 1 miles



Legend

Zoning Codes

-  A Residence
-  AA Residence
-  AAA Residence
-  B Residence
-  Business No. 1
-  Business No. 2
-  C Residence
-  Central Business District
-  Central Business District - Water
-  D Residence
-  Executive Office
-  East Avenue Village District
-  Golden Hill Village District
-  Hospital Zone
-  Industrial No. 1
-  Island Conservation
-  Light Industrial No. 2
-  Marine Conservation
-  Neighborhood Business
-  Research and Development
-  Restricted Industrial
-  Reed Putnam Design District - Subarea A
-  Reed Putnam Design District - Subarea C
-  Reed Putnam Design District - Subarea D
-  Reed Putnam Design District - Subarea E
-  Rowayton Avenue Village District
-  South Norwalk Business District
-  SoNo Station Design District
-  Silvermine Tavern Village District
-  Water
-  Washington Street Design District

