# SECTION 5. COMMERCIAL DISTRICTS


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## 5.A. GENERAL COMMERCIAL DISTRICT: CG-20.

### 5.A.1. Purpose and Intent.

The purpose of this district is to provide an area for the provision of general commercial goods and services in appropriate locations along major roadways of the City.

### 5.A.2. Uses.

Land and structures may be used only for the following.

a. Permitted Uses.

(1) Adult day care center.
(2) Ambulance service.
(3) Animal petting zoo and farm. See Section 5.A.4.a.
(4) Assembly hall, banquet hall, dance hall, club, fraternal organization, fraternity, sorority.
(5) Bakery, wholesale.
(6) Banking or financial institution.
(7) Barber shop, beauty parlor, tattoo parlor, or body-piercing studio. [Rev. 11/26/2011]
(8) Business or professional office.
(9) Church or other place of worship. See Section 5.A.4.b.
(10) Cleaning, laundering, dyeing, or diaper service; laundromat. See Section 5.A.4.c.
(11) College or university; post-secondary business or technical school.
(12) Dairy, including the manufacture and distribution of milk, dairy products and other related food products.
(13) Delivery service. See Section 5.A.4.d.
(14) Dressmaker, locksmith, shoe repair, tailor, watch or jewelry repair.
(15) Employment agency.
(16) Firehouse.
(17) Funeral home.
(18) Glass installation.
(19) Grocery store without the sale of alcoholic beverages. See also Section 5.A.2.c. below.
(20) Health center, gymnasium, reducing salon, tanning salon or swim club. See Section 5.H.4.
(21) Hotel or motel.
(22) Ice Cream/Frozen Yogurt Store. [Eff. 12/22/2012]
(23) Institution for instruction in a skill or vocation.
(24) Library.

(25)Monument sales establishment, with incidental processing to order, but excluding the shaping of stones and similar processes.
(26)Museum.
(27)Nursery, kindergarten, elementary, or secondary school. See Section 5.A.4.e.
(28)Park, playground, or recreation facility.
(29)Parking area; parking facility.
(30)Photographic studio.
(31)Plants for printing, engraving or other reproductive services.
(32)Police station.
(33)Post office, mailing agency, parcel delivery.
(34)Radio or television repair.
(35)Radio or television station, excluding transmitting towers.
(36)Real estate or insurance agency.
(37)Rental of furniture, appliances, or equipment.
(38)Research or testing laboratory.
(39)Restaurant, excluding fast food restaurant, or café, all without the sale of alcoholic beverages. See also Section 5.A.2.b. and 5.A.2.c. below.
(40)Retail sale of granite, marble, tiles and similar stone material for building construction and renovation. See Section 5.A.4.f. [Eff. 10/1/2014]
(41)Retail stores or shops, except package stores. See also Section 5.A.2.c. below.
(42)Sale of building materials. See Section 3.E.4.
(43)Sale, rental, and/or repair of automobiles, automobile trailers, trucks, house trailers, motorcycles, boats, and farm equipment.
(44)Sale, rental and/or repair of construction equipment. See Section 3.E.4.
(45)Sewer and water pumping station, telephone exchange.
(46)Swimming pool, skating rink, bowling alley, indoor batting practice, billiard parlor, miniature golf, tennis courts, racquetball facility, or indoor amusement enterprise.
(47)Travel agency.
(48)Uniform sales or rental.
(49)Upholsterer, carpentry, woodworking or millwork manufacture, building or window cleaning.
(50)Vending machine operations or repair.
(51)Veterinary hospital or clinic, indoor boarding kennel, or pet grooming.

b. Special Exception Uses.

(1) Adult business uses. See Section 5.A.5.a.
(2) Automobile service station; service garage. See Section 3.E.9.
(3) Bus station.
(4) Car wash. See Section 5.A.5.b.
(5) Congregate housing. See Section 5.A.5.c.
(6) Continuing care facility. See Section 5.A.5.d.
(7) Contractor's offices, including general, building, electrical, HVAC, landscaping, and mechanical. See Section 3.E.4.
(8) Convenience market.
(9) Day care center.
(10) Driving school.
(11) Hospital.
(12) Indoor theater.
(13) Medical office.
(14) Nursing home. See Section 5.A.5.e.
(15) Restaurant, fast food.
(16) Water storage facility.

(17) Wholesale distributor. See Section 6.C.3.

c. Special Permit Uses.

(1) Grocery store with the sale of beer in accordance with Section 3.F.2.
(2) Package store in accordance with Section 3.F.2.
(3) Restaurant or café, excluding fast food restaurant, with the sale of alcoholic beverages in accordance with Section 3.F.2.
(4) Tavern in accordance with Section 3.F.2.
(5) Crematory in accordance with Section 3.F.4 [Eff. 06/04/2015]

d. Accessory Uses. See Section 3.G.

**5.A.3. General Use Regulations.**

Unless otherwise specified or modified below, the following regulations shall apply to all lots in the CG-20 Zoning District.

| | |
|---|---|
| Minimum lot area, sq. ft. | 20,000 |
| Minimum lot width, ft. | 100 |
| Minimum front yard setback, ft. | 25 |
| Minimum side yard setback, ft. | 20 |
| Minimum rear yard setback, ft. | 30 |
| Maximum height, ft. | 45 |
| Maximum building coverage | 30% |

**5.A.4. Specific Use Regulations: Permitted Uses.**

The following use regulations shall apply to the permitted uses specified below.

a. Animal Petting Zoo and Farm.

(1) Lot size shall be a minimum of five (5) acres.

b. Church or other place of worship.

(1) A rectory and/or parish hall is permitted as an accessory use.

c. Cleaning, Laundering, Dyeing, or Diaper Service; laundromat.

(1) The use shall be served by municipal water and sewer.

d. Delivery Service.

(1) Vehicles shall be limited to one ton capacity.

e. Nursery, kindergarten, elementary, or secondary school.

(1) The minimum lot area shall be two acres.
(2) The site shall be served by municipal sewer and water.
(3) The facility shall be accredited by the State of Connecticut.

f. Retail sale of granite, marble, tiles and similar stone material for building construction and renovation. [Rev. 10/1/2014]

(1) The use may include related cutting, milling, shaping and polishing stone materials, provided that all such processes and display of materials take place indoors and provided that:
   (a) the use is on a separate lot; or
   (b) when the use is in a building that is occupied by more than one user, the application for a zoning permit shall include either: (i) a written approval for such proposed use from the occupants of the building whose premises abut the subject premises or (ii) evidence that the applicant has sent written notice by certified mail, return receipt requested, to the occupants of the abutting premises identifying the proposed use and informing the abutting occupants that, if they object to the proposed use, they must file their written objection with the Department of Planning and Zoning within ten (10) days of the date they receive such notice. In the event that an objection is filed by an abutting occupant, a zoning permit shall not be issued.

(2) Section 3.E.4. shall apply to the outdoor storage of permitted building materials.

**5.A.5. Specific Use Regulations: Special Exception Uses.**

The following use regulations shall apply to the special exception uses specified below.

a. Adult Business Uses.

(1) Not more than one type of adult business use, as defined herein, may operate on any lot.

(2) No adult business use shall be located within one thousand (1,000) feet of any other existing adult business use, such distances to be measured from the shortest distance between property lines of the lots of the existing and proposed adult business uses.

(3) No adult business use shall be located on a lot within five hundred (500) feet of any residential zoning district or a lot on which any one of the following uses is located, such distances to be measured from the shortest distance between property lines of the lot on which the adult business use is or is proposed to be located and the residential district boundary lines or property lines of the uses listed below:
   (a) churches or other places of worship;
   (b) schools, up to and including the 12th grade, and their adjunct play areas; and
   (c) public playgrounds, public parks, public swimming areas or public libraries.

(4) All business transactions on the premises shall be conducted within the building.

(5) All adult business uses and their related activities, materials, and storage shall be located within a building and shall not be visible from the exterior of the building.

(6) Advertisements, displays, or other promotional materials of prohibited sexual acts shall not be shown or exhibited so as to be visible from the exterior of the building.

(7) The opaque covering of display windows is prohibited.

(8) All signs for adult business uses shall comply with the regulations specified in Section 8.E.3., except that:
   (a) signs shall not include written descriptions, logos, symbols, or other graphic or pictorial depictions of material relating to prohibited sexual acts;
   (b) signs shall be limited in area to the restrictions specified in Section 8.E.3, or to a total of one hundred fifty (150) square feet per establishment, whichever is less; and,
   (c) lettering on said signs shall not exceed eighteen (18) inches in height.

(9) All signs for adult business uses shall comply with the regulations specified in Section 8.E.2., except that:
   (a) signs shall not include written descriptions, logos, symbols, or other graphic or pictorial depictions of material relating to prohibited sexual acts;
   (b) signs shall be limited in area to the restrictions specified in Section 8.E.2., or to a total of one hundred fifty (150) square feet per establishment, whichever is less; and,
   (c) lettering on said signs shall not exceed eighteen (18) inches in height.

b. Car Wash.

(1) The use shall be served by municipal water and sewer.

c. Congregate Housing.

Congregate housing unaffiliated with a continuing care facility either on or off the lot shall meet all other regulations contained herein for the specific housing type or types (e.g. garden apartment, row house) so constructed as congregate housing, except as modified by the regulations specified below:

(1) no more than two persons may occupy a dwelling unit;
(2) the minimum lot area per dwelling unit shall be one thousand (1,000) square feet;
(3) all required parking areas and loading spaces shall be screened from view from adjacent residential uses on abutting lots by a screen or landscaped or natural buffer, as specified in Section 8.D.; and,
(4) in addition to common dining facilities, the development may also include recreational facilities, activity centers, and other facilities for use by the residents of the congregate housing development as specified by the regulations of the Connecticut Department of Housing governing congregate housing.

d. Continuing Care Facility.

A continuing care facility shall consist of congregate housing and a nursing home, and may also include independent living units.

(1) Congregate housing shall meet all other regulations contained herein for the specific housing type or types (e.g. garden apartment, row house) so constructed as congregate housing, except as modified by the regulations specified below:
    (a) no more than two persons may occupy a dwelling unit;
    (b) the minimum lot area per dwelling unit shall be one thousand (1,000) square feet;
    (c) such facility shall be under the control or sponsorship of the affiliated nursing home;
    (d) all required parking areas and loading spaces shall be screened from view from adjacent residential uses on abutting lots by a screen or landscaped or natural buffer, as specified in Section 8.D.;
    (e) pedestrian access from the congregate housing to the nursing home shall be provided;
    (f) in addition to common dining facilities, the development may also include recreational facilities, activity centers, and other facilities for use by the residents of the congregate housing development as specified by the regulations of the Connecticut Department of Housing governing congregate housing; and,
    (g) all of the facilities generally available to residents of the nursing home shall also be available to residents of the congregate housing facility.
(2) The nursing home shall meet all requirements specified in Section 5.A.5.e.
(3) The facility may include independent living units, provided:
    (a) the housing units shall be subject to all provisions regulating the specific housing type or types (e.g. garden apartment, row house), including area and bulk requirements; and,
    (b) all of the facilities and services generally available to residents of the congregate housing and nursing home shall also be available to all independent living unit residents.

e. Nursing Home.

(1) The minimum lot area shall be one acre.
(2) All nursing homes shall be fully licensed by the State of Connecticut and have received a Certificate of Need, as required from the Connecticut Commission on Hospitals and Health Care, prior to issuance of a Zoning Permit by the City.

(3) All required parking areas and loading spaces shall be screened from view from adjacent residential uses on abutting lots by a screen or landscaped or natural buffer, as specified in Section 8.D.

## 5.B. ARTERIAL COMMERCIAL DISTRICT: CA-80.

### 5.B.1. Purpose and Intent.

The purpose of this district is to provide for general and heavy commercial uses in appropriate locations along major roadways of the City.

### 5.B.2. Uses.

Land and structures may be used only for the following.

a. Permitted Uses.

(1) Adult day care center.
(2) Ambulance service.
(3) Assembly hall, banquet hall, dance hall, club, fraternal organization, fraternity, sorority.
(4) Bakery, wholesale.
(5) Banking or financial institution.
(6) Barber shop, beauty parlor, tattoo parlor, or body-piercing studio. **[Nov. 26, 2011]**
(7) Building or window cleaning.
(8) Business or professional office.
(9) Carpentry, woodworking, or millwork.
(10) Church or other place of worship. See Section 5.B.4.a.
(11) Cleaning, laundering, dyeing or diaper service; laundromat. See Section 5.B.4.b.
(12) College or university; post-secondary business or technical school.
(13) Delivery service. See Section 5.B.4.c.
(14) Dependency Treatment Center.
(15) Dressmaker, locksmith, shoe repair, tailor, watch or jewelry repair.
(16) Employment agency.
(17) Firehouse.
(18) Funeral home.
(19) Glass installation.
(20) Grocery store without the sale of alcoholic beverages. See also Section 5.B.2.c.
(21) Health center, gymnasium, reducing salon, tanning salon and swim club. See Section 5.H.4.
(22) Hotel or motel.
(23) Ice Cream/Frozen Yogurt Store. [Eff. 12/22/2011]
(24) Institution for instruction in a skill or vocation.
(25) Monument sales establishment, with incidental processing to order, but excluding the shaping of stones and similar processes.
(26) Museum.
(27) Nursery, kindergarten, elementary or secondary school. See Section 5.B.4.d.
(28) Parking area; parking facility.
(29) Photographic studio.
(30) Plants for printing, engraving or other reproductive services.
(31) Police station.
(32) Post office, mailing agency, parcel delivery.
(33) Radio or television repair.
(34) Radio or television station, excluding transmitting towers.

(35) Real estate or insurance agency.
(36) Rental of furniture, appliances, or equipment.
(37) Research or testing laboratories.
(38) Retail sale of granite, marble, tiles and similar stone material for building construction and renovation.
(39) Restaurant or café, excluding fast food restaurant, without the sale of alcoholic beverages. See also Section 5.B.2.c. below.
(40) Retail stores or shops, except package stores. See also Section 5.B.2.c. below.
(41) Sale, rental, and/or repair of automobiles, automobile trailers, trucks, house trailers, motorcycles, boats, farm equipment.
(42) Sewer and water pumping station, telephone exchange.
(43) Swimming pool, skating rink, bowling alley, indoor batting practice, billiard parlor, miniature golf, tennis court, racquetball facility, or indoor amusement enterprise.
(44) Travel agency.
(45) Uniform sales or rental.
(46) Vending machine operator or repairer.
(47) Veterinary hospital or clinic, indoor boarding kennel, or pet grooming.

b. Special Exception Uses.

(1) Automobile service station; service garage. See Section 3.E.9.
(2) Bus or limousine terminal.
(3) Bus Station.
(4) Car Wash. See Section 5.B.5.a.
(5) Congregate housing. See Section 5.B.5.b.
(6) Continuing care facility. See Section 5.B.5.c.
(7) Contractor's offices, including general, building, electrical, HVAC, landscaping, and mechanical. See Section 3.E.4.
(8) Convenience Market.
(9) Day care center.
(10) Driving school.
(11) Hospital.
(12) Indoor shooting range. See Section 5.B.5.d. [Eff. 10/20/2011]
(13) Indoor theater, stadium, auditorium. [Rev. 5/2/2015]
(14) Medical office.
(15) Nursing home. See Section 5.B.5.e.
(16) Storage or sale of building materials or landscape materials. See Section 3.E.4.
(17) Storage, sale, rental or repair of construction equipment. See Section 3.E.4.
(18) Truck terminal, warehouse, moving and storage establishment; self-service storage. See Section 6.C.3.
(19) Water storage facility.
(20) Wholesale distributor. See Section 6.C.3.

c. Special Permit Uses.

(1) Grocery store with the sale of beer in accordance with Section 3.F.2.
(2) Package store in accordance with Section 3.F.2.
(3) Restaurant or café, excluding fast food restaurant, with the sale of alcoholic beverages in accordance with Section 3.F.2.
(4) Tavern in accordance with Section 3.F.2.
(5) Crematory in accordance with Section 3.F.4 [Eff. 06/04/2015]

d. Accessory Uses. See Section 3.G.

**5.B.3. General Use Regulations.**

Unless otherwise specified or modified below, the following regulations shall apply to all lots in the CA-80 Zoning District.

| | |
|---|---|
| Minimum lot area, sq. ft. | 80,000 |
| Minimum lot frontage, ft. | 200 |
| Minimum lot width, ft. | 200 |
| Minimum front yard setback, ft. | 25 |
| Minimum side yard setback, ft. | 20 |
| Minimum rear yard setback, ft. | 30 |
| Maximum height, ft. | 45 |
| Maximum building coverage | 30% |

**5.B.4. Specific Use Regulations: Permitted Uses.**

The following use regulations shall apply to the permitted uses specified below.

a. Church or other place of worship.

(1) A rectory and/or parish hall is permitted as an accessory use.

b. Cleaning, laundering, dyeing or diaper service; laundromat.

(1) The use shall be served by municipal sewer and water.

c. Delivery Service.

(1) Vehicles shall be limited to one ton capacity.

d. Nursery, kindergarten, elementary or secondary school.

(1) The minimum lot area shall be two acres.
(2) The site shall be served by municipal sewer and water.
(3) The facility shall be accredited by the State of Connecticut.

e. Retail sale of granite, marble, tiles and similar stone material for building construction and renovation.

(1) The use may include related cutting, milling, shaping and polishing stone materials, provided that all such processes and display of materials take place indoors and provided that:
   (a) the use is on a separate lot; or
   (b) when the use is in a building that is occupied by more than one user, the application for a zoning permit shall include either: (i) a written approval for such proposed use from the occupants of the building whose premises abut the subject premises or (ii) evidence that the applicant has sent written notice by certified mail, return receipt requested, to the occupants of the abutting premises identifying the proposed use and informing the abutting occupants that, if they object to the proposed use, they must file their written objection with the Department of Planning and Zoning within ten (10) days of the date they receive such notice. In the event that an objection is filed by an abutting occupant, a zoning permit shall not be issued.
(2) Section 3.E.4. shall apply to the outdoor storage of permitted building materials.

**5.B.5. Specific Use Regulations: Special Exception Uses.**

The following use regulations shall apply to the special exception uses specified below.

a. Car Wash.

(1) The use shall be served by municipal water and sewer.

b. Congregate Housing.

Congregate housing unaffiliated with a continuing care facility either on or off the lot shall meet all other regulations contained herein for the specific housing type or types (e.g. garden apartment, row house) so constructed as congregate housing, except as modified by the regulations specified below:

(1) no more than two persons may occupy a dwelling unit;
(2) the minimum lot area per dwelling unit shall be one thousand (1,000) square feet;
(3) all required parking areas and loading spaces shall be screened from view from adjacent residential uses on abutting lots by a screen or landscaped or natural buffer, as specified in Section 8.D.; and,
(4) in addition to common dining facilities, the development may also include recreational facilities, activity centers, and other facilities for use by the residents of the congregate housing development as specified by the regulations of the Connecticut Department of Housing governing congregate housing.

c. Continuing Care Facility.

A continuing care facility shall consist of congregate housing and a nursing home, and may also include independent living units.

(1) Congregate housing shall meet all other regulations contained herein for the specific housing type or types (e.g. garden apartment, row house) so constructed as congregate housing, except as modified by the regulations specified below:
   (a) no more than two persons may occupy a dwelling unit;
   (b) the minimum lot area per dwelling unit shall be one thousand (1,000) square feet;
   (c) such facility shall be under the control or sponsorship of the affiliated nursing home;
   (d) all required parking areas and loading spaces shall be screened from view from adjacent residential uses on abutting lots by a screen or landscaped or natural buffer, as specified in Section 8.D.;
   (e) pedestrian access from the congregate housing to the nursing home shall be provided;
   (f) in addition to common dining facilities, the development may also include recreational facilities, activity centers, and other facilities for use by the residents of the congregate housing development as specified by the regulations of the Connecticut Department of Housing governing congregate housing; and,
   (g) all of the facilities generally available to residents of the nursing home shall also be available to residents of the congregate housing facility.
(2) The nursing home shall meet all requirements specified in Section 5.B.5.d.
(3) The facility may include independent living units, provided:
   (a) the housing units shall be subject to all provisions regulating the specific housing type or types (e.g. garden apartment, row house), including area and bulk requirements; and,
   (b) all of the facilities and services generally available to residents of the congregate housing and nursing home shall also be available to all independent living unit residents.

d. Indoor Shooting Range.

(a) The operation, design and construction of the facility shall meet the criteria and standards of the NRA Range Source Book, as revised, and all applicable local, federal and state requirements. The indoor shooting range shall be soundproof, shall provide for the health and safety of clients, and shall be constructed to prevent projectiles from the discharge of firearms from escaping the building.
(b) The indoor shooting range shall be designed by an architect or engineer experienced in the design of such facilities and licensed in the state of Connecticut. All plans and applications for a zoning and building permit shall include a signed and sealed certification of compliance from said architect or engineer stating that the building plans comply with all local, state and federal criteria, standards and requirements for indoor shooting ranges as specified above.
(c) Rifles shall be limited to .22 caliber or less.
(d) No impulse noise caused by the discharge of firearms shall be heard at the property line of the indoor shooting range, and hours of operation of the indoor shooting range shall be limited from 10:00 a.m. to 8:00 p.m.

e. Nursing Home.

(1) The minimum lot area shall be one acre.
(2) All nursing homes shall be fully licensed by the State of Connecticut and have received a Certificate of Need, as required from the Connecticut Commission on Hospitals and Health Care, prior to issuance of a Zoning Permit by the City.
(3) All required parking areas and loading spaces shall be screened from view from adjacent residential uses on abutting lots by a screen or landscaped or natural buffer, as specified in Section 8.D.

**5.B.6. Mill Plain Road Curb Cut Control Plan.**

a. The purpose of this requirement is to provide guidelines for existing and future driveway cuts along Mill Plain Road. By reducing the size and number of areas where conflicting vehicle turning movements occur, it is intended to provide safer and more efficient traffic operations along that roadway.

b. The area subject to this requirement shall be defined as the roadway surface located between the New York State line and its intersection with Exit 4 of Interstate 84. In addition to other requirements described in this and previous sections, all curb cuts shall be brought into conformance with the recommendations contained on the map entitled: "Mill Plain Road - Curb Cut Control Plan". Conformance to the map shall be required only if:

(1) the use of the property changes or any alterations are proposed which would necessitate the filing of a site plan application; or
(2) the State Department of Transportation initiates a major resurfacing of the roadway. At that time, all curb cuts would be viewed as new cuts.

c. In reviewing existing and future curb cuts, the following guidelines shall be considered:

(1) cuts should be located opposite existing streets and/or major driveways;
(2) the number of site access points should be limited;
(3) driveway closures should not restrict internal site circulation;
(4) connections between adjacent properties should be encouraged; and,
(5) the design of a curb cut (i.e. width, turning radius, etc.) shall be determined by the Planning Department in the case of permitted uses, or Planning Commission in the case of special exceptions, and the State Department of Transportation.

d. The owner of adjoining lots, whenever practicable, will create a two-way accessway drive between each lot.

## 5.C. LIMITED ROADSIDE COMMERCIAL INDUSTRIAL DISTRICT: LCI-40.

### 5.C.1. Purpose and Intent.

The purpose of this district is to provide for commercial uses appropriate to locations along major thoroughfares which will have limited impact on traffic generation and sensitive environmental areas.

### 5.C.2. Uses.

Land and structures may be used only for the following.

a. Permitted Uses.

(1) Banking or financial institutions.
(2) Barber shop or beauty parlor.
(3) Business or professional office.
(4) Cemetery.
(5) Church or other place of worship. See Section 5.C.4.a.
(6) Cleaning, laundering, dyeing, or diaper service; laundromat. See Section 5.C.4.b.
(7) Club.
(8) Dressmaker, locksmith, shoe repair, tailor, watch or jewelry repair.
(9) Firehouse.
(10) Forest or wildlife reservation.
(11) Institutions for instruction in a skill or vocation.
(12) Nursery, kindergarten, elementary or secondary school. See Section 5.C.4.c.
(13) Nursing home. See Section 5.C.4.d.
(14) One family dwelling. See Section 5.C.4.e.
(15) Park, playground, or recreational facility.
(16) Photographic studio.
(17) Research or testing laboratory.
(18) Restaurant or café, excluding fast food restaurant, without the sale of alcoholic beverages. See Section 5.C.2.c. below.
(19) Retail sale of antiques, books and magazines, notions and sundries, flowers, baked goods, garden supplies, gifts, toiletries, and stationary. See Section 5.C.4.f.
(20) Sewer or water pumping station, telephone exchange.
(21) Television or radio repair.
(22) Three family dwelling. See Section 5.C.4.g.
(23) Two family dwelling. See Section 5.C.4.h.

b. Special Exception Uses.

(1) Water storage facility.

c. Special Permit Uses.

(1) Restaurant or café, excluding fast food restaurant, with the sale of alcoholic beverages in accordance with Section 3.F.2.

d. Accessory Uses. See Section 3.G.

**5.C.3. General Use Regulations.**

Unless otherwise specified or modified below, the following regulations shall apply to all lots in the LCI-40 Zoning District.

a.

| | |
|---|---|
| Minimum lot area per dwelling unit, sq. ft. | 40,000 |
| Minimum lot area, sq. ft. for all other uses | 40,000 |
| Minimum lot width, feet | 150 |
| Minimum front yard setback, feet | 25 |
| Minimum side yard setback, feet | 20 |
| Minimum rear yard setback, feet | 30 |
| Maximum height, feet | 35 |
| Maximum building coverage | 30% |

b. No restaurant or cafe and no retail store or shop may be accessed by a drive-in or drive-through facility by which food, beverages, or products are dispensed to patrons within motor vehicles.

**5.C.4. Specific Use Regulations: Permitted Uses.**

The following use regulations shall apply to the permitted uses specified below.

a. Church or other place of worship.

(1) A rectory and/or parish hall is permitted as an accessory use.

b. Cleaning, laundering, dyeing, or diaper service; laundromat.

(1) The use shall be served by municipal sewer and water service.

c. Nursery, kindergarten, elementary or secondary school.

(1) The minimum lot area shall be two acres.
(2) The site shall be served by municipal sewer and water.
(3) The facility shall be accredited by the State of Connecticut.

d. Nursing home.

(1) All nursing homes shall be fully licensed by the State of Connecticut and have received a Certificate of Need, as required from the Connecticut Commission on Hospitals and Health Care, prior to issuance of a Zoning Permit by the City.
(2) All required parking areas and loading spaces shall be screened from view from adjacent residential uses on abutting lots by a screen or landscaped or natural buffer, as specified in Section 8.D.

e. One family dwelling.

(1) Only one principal dwelling per lot shall be permitted.

f. Retail sale of antiques, books and magazines, notions and sundries, flowers, baked goods, garden supplies, gifts, toiletries, and stationary.

(1) The maximum total gross floor area of all buildings per lot shall not exceed 20,000 square feet.

g. Three family dwelling.

(1) Only one three family dwelling per lot shall be permitted.

h. Two family dwelling.

(1) Only one two family dwelling per lot shall be permitted.

## 5.D. LIGHT COMMERCIAL DISTRICT: CL-10.

### 5.D.1. Purpose and Intent.

The purpose of this district is to provide for limited commercial development in areas where more intensive development would create traffic congestion and safety problems, cause land use conflicts with adjacent properties, or have a deleterious affect upon public health and safety.

### 5.D.2. Uses.

Land and structures may be used only for the following. Notwithstanding this Section 5.D., see Section 7.E. for restrictions on uses located in the Main Street Historic Overlay Zone and Section 7.F. for restrictions on uses located within the Downtown Revitalization Zone. [Eff. 7/29/2014]

a. Permitted Uses.

(1) Banking or financial institutions.
(2) Barber shop or beauty parlor.
(3) Business or professional office.
(4) Church or other place of worship. See Section 5.D.4.a.
(5) Cleaning, laundering, dyeing or diaper service; laundromat. See Sections 5.D.4.b.and 7.F.3.a. [Rev. 7/29/2014]
(6) Club.
(7) Dressmaker, locksmith, shoe repair, tailor, watch or jewelry repair.
(8) Employment agency.
(9) Firehouse.
(10) Grocery store without the sale of alcoholic beverages. See also Section 5.D.2.c.
(11) Health center, gymnasium, reducing salon, or tanning salon or swim club. See Section 5.H.4.
(12) Institution for instruction in a skill or vocation.
(13) Medical office. See Section 5.D.4.c.
(14) Nursery, kindergarten, elementary, or secondary school. See Section 5.D.4.d.
(15) Parking area; parking facility. See Section 7.F.4. [Rev. 7/29/2014]
(16) Photographic studio.
(17) Radio or television station, excluding transmitting towers.
(18) Real estate or insurance agency.
(19) Restaurant, excluding fast food restaurant, or café without the sale of alcoholic beverages. See also Section 5.D.2.c. below.
(20) Retail stores and shops, except package stores. See also Section 5.D.2.c. and 5.D.4.e. below.
(21) Telephone exchange, sewage or water pumping station, except within the DRZ. See Section 7.F.3.c. [Rev. 7/29/2014]
(22) Television or radio repair.

(23) Travel agency.

b. Special Exception Uses.

(1) Congregate housing. See Sections 5.D.5.a.and 7.F.3.b. **[**Rev. 7/29/2014]
(2) Continuing care facility. See Sections 5.D.5.b.and 7.F.3.b. [Rev. 7/29/2014]
(3) Nursing home. See Sections 5.D.5.c.and 7.F.3.b. [Rev. 7/29/2014]
(4) Funeral home, except within the DRZ. See Section 7.F.3.c. [Rev. 7/29/2014]
(5) Water storage facility.

c. Special Permit Use.

(1) Grocery store with the sale of beer in accordance with Section 3.F.2.
(2) Package store, except within the DRZ, in accordance with Sections 3.F.2.and 7.F.3.c. [Rev. 7/29/2014]
(3) Restaurant or café, excluding fast food restaurant, with the sale of alcoholic beverages in accordance with Section 3.F.2
(4) Tavern in accordance with Section 3.F.2.

d. Accessory Uses. See Section 3.G.

**5.D.3. General Use Regulations.**

Unless otherwise specified or modified below, the following regulations shall apply to all lots in the CL-10 Zoning District.

a.

| | |
|---|---|
| Minimum lot area, sq. ft. | 10,000 |
| Minimum lot width, ft. | 70 |
| Minimum front yard setback, ft. | 20 |
| Minimum side yard setback, ft. | 10, except 20' where the side yard abuts a residential zoning district. |
| Minimum rear yard setback, ft. | 25 |
| Maximum height, ft. | 35 |
| Maximum building coverage | 30% |

b. No restaurant or cafe, including fast food restaurants, and no retail store or shop may be accessed by a drive-in or drive-through use by which food, beverages, or products are dispensed to patrons within motor vehicles.

c. Notwithstanding §5.D.3.a. above, all regulations pertaining to minimum lot area, minimum lot width, minimum setbacks, maximum height, and maximum building coverage for uses located within the DRZ, as specified in §7.F., shall be the same as the regulations specified in C-CBD §5.F.3. [Eff. 6/2/2011]

**5.D.4. Use Regulations: Permitted Uses.**

The following use regulations shall apply to the permitted uses specified below.

a. Church or other place of worship.

(1) A rectory and/or parish hall is permitted as an accessory use.

b. Cleaning, laundering, dyeing or diaper service; laundromat.

(1) The use shall be served by municipal water and sewer.

c. Medical office.

(1) The maximum gross floor area of any medical office shall not exceed 3,000 square feet per lot, except that medical offices in existence on March 6, 2009 which are located on lots of one acre or more may expand by up to 3,000 square feet in gross floor area, provided that all other zoning regulations are met for the resulting development.

d. Nursery, Kindergarten, Elementary, or Secondary School.

(1) The minimum lot area shall be two acres.
(2) The site shall be served by municipal sewer and water.
(3) The facility shall be accredited by the State of Connecticut.

e. Retail stores and shops.

(1) The maximum gross floor area per lot for all retail stores and shops shall not exceed 10,000 sq. ft.

**5.D.5. Specific Use Regulations: Special Exception Uses.**

The following use regulations shall apply to the special exception uses specified below.

a. Congregate Housing.

Congregate housing unaffiliated with a continuing care facility either on or off the lot shall meet all other regulations contained herein for the specific housing type or types (e.g. garden apartment, row house) so constructed as congregate housing, except as modified by the regulations specified below:

(1) No more than two persons may occupy a dwelling unit;
(2) The minimum lot area per dwelling unit shall be one thousand (1,000) square feet;
(3) All required parking areas and loading spaces shall be screened from view from adjacent residential uses on abutting lots by a screen or landscaped or natural buffer, as specified in Section 8.D.; and,
(4) In addition to common dining facilities, the development may also I include recreational facilities, activity centers, and other facilities for use by the residents of the congregate housing development as specified by the regulations of the Connecticut Department of Housing governing congregate housing.

b. Continuing Care Facility.

A continuing care facility shall consist of congregate housing and a nursing home, and may also include independent living units.

(1) Congregate housing shall meet all other regulations contained herein for the specific housing type or types (e.g. garden apartment, row house) so constructed as congregate housing, except as modified by the regulations specified below:
   (a) no more than two persons may occupy a dwelling unit;
   (b) the minimum lot area per dwelling unit shall be one thousand (1,000) square feet;
   (c) such facility shall be under the control or sponsorship of the affiliated nursing home;
   (d) all required parking areas and loading spaces shall be screened from view from adjacent residential uses on abutting lots by a screen or landscaped or natural buffer, as specified in Section 8.D.;
   (e) pedestrian access from the congregate housing to the nursing home shall be provided;

(f) in addition to common dining facilities, the development may also include recreational facilities, activity centers, and other facilities for use by the residents of the congregate housing development as specified by the regulations of the Connecticut Department of Housing governing congregate housing; and,

(g) All of the facilities generally available to residents of the nursing home shall also be available to residents of the congregate housing facility.

(2) The nursing home shall meet all requirements specified in Section 5.D.5.c.

(3) The facility may include independent living units, provided:

(a) the housing units shall be subject to all provisions regulating the specific housing type or types (e.g. garden apartment, row house), including area and bulk requirements; and,

(b) All of the facilities and services generally available to residents of the congregate housing and nursing home shall also be available to all independent living unit residents.

c. Nursing Home.

(1) The minimum lot area shall be one acre.

(2) All nursing homes shall be fully licensed by the State of Connecticut and have received a Certificate of Need, as required from the Connecticut Commission on Hospitals and Health Care, prior to issuance of a Zoning Permit by the City.

(3) All required parking areas and loading spaces shall be screened from view from adjacent residential uses on abutting lots by a screen or landscaped or natural buffer, as specified in Section 8.D.

## 5.E. NEIGHBORHOOD COMMERCIAL DISTRICTS: CN-5, CN-20.

### 5.E.1. Purpose and Intent.

The purpose of these districts is to provide a location for stores, shops, and services of a limited nature that will serve the daily needs of the residents of the immediate neighborhood. The intent is to provide commercial services but to limit their size to avoid unnecessary traffic congestion and conflicts with adjacent residential neighborhoods.

### 5.E.2. Uses.

Land and structures may be used only for the following.

a. Permitted Uses.

(1) Banking or financial institutions.

(2) Barber shop or beauty parlor.

(3) Business or professional office in CN-20 only.

(4) Church or other place of worship. See Section 5.E.4.a.

(5) Cleaning, laundering, dyeing, or diaper service; laundromat. See Section 5.E.4.b.

(6) Convenience market.

(7) Dressmaker, shoe repair, and tailor.

(8) Firehouse.

(9) Nursery, kindergarten, elementary, or secondary school. See Section 5.E.4.c.

(10) One family dwelling. See also Section 5.E.4.d.

(11) Park, playground or recreational facility.

(12) Real estate or insurance agency.

(13) Restaurant or café, excluding fast food restaurant, without the sale of alcoholic beverages. See also Section 5.E.2.b. below.

(14) Retail stores and shops, except package stores. See also Section 5.E.2.b. below.

(15) Sewer and water pumping station, telephone exchange.

b. Special Permit Uses.

(1) Package store in accordance with Section 3.F.2.
(2) Restaurant or café, excluding fast food restaurant, with the sale of beer and wine only in accordance with Section 3.F.2.

c. Accessory Uses. See Section 3.G.

**5.E.3. General Use Regulations.**

a. Unless otherwise specified or modified below, the following regulations shall apply to all lots in the CN-5 and CN-20 Zoning Districts.

| DISTRICT | CN-5 | CN-20 |
|---|---|---|
| Minimum lot area, sq. ft. | 5,000 | 20,000 |
| Minimum lot width, ft. | 50 | 100 |
| Minimum front yard setback, ft. | 20 | 20 |
| Minimum side yard setback, ft. | 10* | 10* |
| *except 20' where the side yard abuts a residential zoning district. See Section 5.E.3.b. | | |
| Minimum rear yard setback, ft. | 25 | 25 |
| Maximum height, ft. | 35 | 35 |
| Maximum building coverage | 30% | 30% |

b. By agreement of the owners of two lots in a CN-5 or CN-20 zoning district duly recorded in the Land Records of the City of Danbury, and if such lots are used solely for a use permitted by Section 5.E.2., the required side yard setbacks where such lots adjoin may be omitted and the buildings may be built to the common lot line, provided that the opposite side yards shall be not less than 12 feet in width and provided further that the party or other walls separating such buildings shall be of masonry construction.

c. The maximum total gross floor area of all buildings per lot shall not exceed 5,000 square feet in a CN-5 zoning district or 20,000 square feet in a CN-20 zoning district, unless otherwise specified below.

**5.E.4. Specific Use Regulations: Permitted Uses.**

The following use regulations shall apply to the permitted uses specified below.

a. Church or other place of worship.

(1) A rectory and/or parish hall is permitted as an accessory use.

b. Cleaning, laundering, dyeing or diaper service; laundromat.

(1) The use shall be served by municipal water and sewer.

c. Nursery, Kindergarten, Elementary, or Secondary School.

(1) The minimum lot area shall be two acres.
(2) The site shall be served by municipal sewer and water.
(3) The facility shall be accredited by the State of Connecticut.

d. One Family Dwelling.

(1) Only one principal dwelling per lot shall be permitted.

## 5.F. CENTRAL BUSINESS DISTRICT: C-CBD.

### 5.F.1. Purpose and Intent.

The purpose of this district is to allow a mixture of compatible uses which will strengthen the downtown as the social and economic focus of the City; to promote a cohesive downtown for the interaction of people and businesses; to stimulate investment; to improve vehicular access, safety, and parking; to facilitate pedestrian movement; and to provide a setting for community activities.

### 5.F.2. Uses.

Land and structures may be used only for the following. Notwithstanding this Section 5.F., see Section 7.E. for restrictions on uses located in the Main Street Historic Overlay Zone and Section 7.F. for restrictions on uses located within the Downtown Revitalization Zone. [Rev. 7/29/2014]

a. Permitted Uses.

(1) Apartment house, garden apartment, row house, townhouse. See Sections 5.F.4.a. and 7.F.3.b. [Eff. 6/2/2011, rev. 7/29/2014]
(2) Art gallery. [Eff. 6/2/2011]
(3) Banking or financial institutions.
(4) Barber shop or beauty parlor.
(5) Business incubators. [Eff. 6/2/2011]
(6) Business or professional office.
(7) Church or other place of worship. See Section 5.F.4.b.
(3) (8) Cleaning, laundering, dyeing or diaper service; laundromat. See Sections 5.F.4.c.and 7.F.3.a. **[**Rev. 7/29/2014]
(9) Club.
(10) Convenience market.
(11) Dressmaker, locksmith, shoe repair, tailor, watch or jewelry repair.
(12) Employment agency.
(13) Entertainment and/or education center.
(14) Firehouse.
(15) Grocery store without the sale of alcoholic beverages. See Section 5.F.2.c. **[**Rev. 7/29/2014]
(16) Health center, gymnasium, reducing salon, tanning salon or swim club. See Section 5.H.4.
(17) Hotel. **[**Rev. 7/29/2014]
(18) Ice Cream/Frozen Yogurt Store.
(19) Indoor theater.
(20) Institution for instruction in a skill or vocation.
(21) Library.
(22) Medical office, excluding medical offices or clinics whose primary function is the treatment of drug addiction or substance abuse.
(23) Museum.
(24) Nursery, kindergarten, elementary, or secondary school. See Section 5.F.4.d.
(25) One family dwelling, except within the DRZ. See Sections 5.F.4.e.and 7.F.3.c. **[**Rev. 7/29/2014]

(26) Optician and optical goods. [Eff. 6/2/2011]
(27) Park, playground, or recreation facility, skating rink.
(28) Parking area; parking facility. See Sections 7.E.3.and 7.F.4. **[**Rev. 7/29/2014]
(29) Photographic studio.
(30) Physical medicine facility.
(31) Police station.
(32) Post office, mailing agency, parcel delivery.
(33) Radio or television station, excluding transmitting towers.
(34) Real estate or insurance agency.
(35) Restaurant, fast food restaurant, or café, without the sale of alcoholic beverages. See also Section 5.F.2.c. below. [Eff. 11/26/2011]
(36) Retail stores and shops, except pawn shops and package stores. See also Section 5.F.2.c. below.
(37) Studios for instruction in music or the performing arts. [Eff. 6/2/2011]
(38) Telephone exchange, sewer and water pumping station, except within the DRZ. See Section 7.F.3.c. **[**Rev. 7/29/2014]
(39) Television or radio repair.
(40) Three family dwelling. See Section 7.F.3.a. **[**Rev. 7/29/2014]
(41) Travel agency.
(42) Two family dwelling. See Section 7.F.3.a. **[**Rev. 7/29/2014]

b. Special Exception Uses.

Special exception uses in C-CBD district include all uses which according to Section 8.C.4. of these Regulations require one hundred (100) or more parking spaces, plus the following.

(1) Ambulance Service. See Section 7.F.3.a. **[**Rev. 7/29/2014]
(2) Bus station. **[**Rev. 7/29/2014]
(3) Congregate housing. See Sections 5.F.5.a.and 7.F.3.b. **[**Rev. 7/29/2014]
(4) Continuing care facility. See Sections 5.F.5.b. and 7.F.3.b. **[**Rev. 7/29/2014]
(5) College or university; post-secondary business or technical school.
(6) Hospitals.
(7) Nursing home. See Sections 5.F.5.c.and 7.F.3.b. **[**Rev. 7/29/2014]
(8) Taxi or limousine service. See Section 7.F.3.a. **[**Rev. 7/29/2014]
(9) Shelter for the homeless. See Sections 5.F.5.d. and 7.F.3.b. **[**Rev. 7/29/2014]

c. Special Permit Uses.

(1) Grocery store with the sale of beer in accordance with Section 3.F.2.
(2) Package store, except within the DRZ, in accordance with Sections 3.F.2.and 7.F.3.c. [Rev. 7/29/2014]
(3) Restaurant or café, excluding fast food restaurant, with the sale of alcoholic beverages, in accordance with Section 3.F.2.
(4) Tavern in accordance with Section 3.F.2.

d. Accessory Uses. See Sections 3.G.and 7.F.4. [Rev. 7/29/2014]

**5.F.3. General Use Regulations.**

a. Unless otherwise specified or modified below, the following regulations shall apply to all uses specified in Section 5.F.2 in the C-CBD Zoning District. See Section 7.E. for regulations pertaining to setbacks, height and other restrictions for development within the Main Street Historic District.

| | |
|---|---|
| Minimum lot area, sq. ft. | None |
| Minimum lot width, ft. | None |
| Minimum front yard setback, ft. | None (See §7.E. for the Main Street Historic District) |
| Minimum side yard setback, ft. | None |
| Minimum rear yard setback, ft. | None |
| Maximum height, ft. | Within the Main Street Historic District: 55 feet, maximum of five stories.<br><br>Outside the Main Street Historic District: 105 feet, maximum of ten stories, on any lot or portion thereof, provided that any portion of a building over 55 feet in height shall be setback from the front lot line a distance of 18 feet for each additional 10 feet of height, or portion thereof, over 55 feet in height above grade at the right-of-way, and provided further that any building with a maximum height of greater than 75 feet shall have a minimum lot area of 2 acres, a minimum lot width of 200 feet, and be setback a minimum of 25 feet from any side or rear lot line. |
| Maximum building coverage | 100% |

b. Development of lots must include all provisions for parking and loading in accord with Section 8.C. of these Regulations.

c. No restaurant, including fast food restaurants, and no retail store or shop may be accessed by a drive-in or drive-through facility or use by which food, beverages, or products are dispensed to patrons within motor vehicles.

d. See § 7.F. for restrictions related to first floor residential development in the DRZ. [Eff. 6/2/2011]

**5.F.4. Specific Use Regulations: Permitted Uses.**

The following use regulations shall apply to the permitted uses specified below.

a. Apartment house, garden apartment, row house and townhouse. [Rev. 6/2/2011]

(1) Each dwelling unit shall contain the following minimum square feet in floor area: (a) efficiency, 300 square feet; (b) one bedroom, 425 square feet; (c) two bedroom, 600 square feet; (d) three bedroom, 750 square feet; and (e) 100 square feet for each additional bedroom. [Rev. 6/2/2011]

b. Church or other place of worship.

(1) A rectory and/or parish hall is permitted as an accessory use.

c. Cleaning, laundering, dyeing or diaper service; laundromat.

(1) The use shall be served by municipal water and sewer.

d. Nursery, Kindergarten, Elementary, or Secondary School.

(1) The minimum lot area shall be two acres.
(2) The site shall be served by municipal sewer and water.

(3) The facility shall be accredited by the State of Connecticut.

e. One Family Dwelling.

(1) Only one principal dwelling per lot shall be permitted.

**5.F.5. Specific Use Regulations: Special Exception Uses.**

The following use regulations shall apply to the special exception uses specified below.

a. Congregate Housing.

Congregate housing unaffiliated with a continuing care facility either on or off the lot shall meet all other regulations contained herein for the specific housing type or types (e.g. garden apartment, row house) so constructed as congregate housing, except as modified by the regulations specified below:

(1) no more than two persons may occupy a dwelling unit;
(2) the minimum lot area per dwelling unit shall be one thousand (1,000) square feet;
(3) all required parking areas and loading spaces shall be screened from view from adjacent residential uses on abutting lots by a screen or landscaped or natural buffer, as specified in Section 8.D.; and,
(4) in addition to common dining facilities, the development may also include recreational facilities, activity centers, and other facilities for use by the residents of the congregate housing development as specified by the regulations of the Connecticut Department of Housing governing congregate housing.

b. Continuing Care Facility.

A continuing care facility shall consist of congregate housing and a nursing home, and may also include independent living units.

(1) Congregate housing shall meet all other regulations contained herein for the specific housing type or types (e.g. garden apartment, row house) so constructed as congregate housing, except as modified by the regulations specified below:
   (a) no more than two persons may occupy a dwelling unit;
   (b) the minimum lot area per dwelling unit shall be one thousand (1,000) square feet;
   (c) such facility shall be under the control or sponsorship of the affiliated nursing home;
   (d) all required parking areas and loading spaces shall be screened from view from adjacent residential uses on abutting lots by a screen or landscaped or natural buffer, as specified in Section 8.D.;
   (e) pedestrian access form the congregate housing to the nursing home shall be provided;
   (f) in addition to common dining facilities, the development may also include recreational facilities, activity centers, and other facilities for use by the residents of the Connecticut Department of Housing governing congregate housing; and,
   (g) all of the facilities generally available to residents of the nursing home shall also be available to residents of the congregate housing facility.
(2) The nursing home shall meet all requirements specified in Section 5.F.5.c.
(3) The facility may include independent living units, provided:
   (a) the housing units shall be subject to all provisions regulating the specific housing type or types (e.g. garden apartment, row house), including area and bulk requirements; and,
   (b) all of the facilities and services generally available to residents of the congregate housing and nursing home shall also be available to all independent living unit residents.

c. Nursing Home.

(1) The minimum lot area shall be one acre.
(2) All nursing homes shall be fully licensed by the State of Connecticut and have received a Certificate of Need, as required form the Connecticut Commission on Hospitals and Health Care, prior to issuance of a Zoning Permit by the City.
(3) All required parking areas and loading spaces shall be screened from view from adjacent residential uses on abutting lots by a screen or landscaped or natural buffer, as specified in Section 8.D.

d. Shelter for the Homeless.

(1) The shelter shall be sponsored by the City or a non-profit organization.

## 5.G. CAMPUS RESEARCH PARK: CRP.

### 5.G.1. Purpose and Intent.

The purpose and intent of the Campus Research Park (CRP) Zoning District is to provide for the integrated design of a mixed-use campus research park, offering education, job training, and/or research and development in basic and applied science, including related housing and ancillary services intended for the use of colleges or universities and students, faculty and employees of businesses affiliated with the research park.

### 5.G.2. General Regulations.

The CRP Zoning District shall have a minimum gross area of 10 acres that may consist of one parcel or several contiguous parcels, including parcels that are separated by a public street. The Campus Research Park Zoning District may include all uses as specified herein, including a campus research park consisting of two or more of the special exception uses specified herein.

### 5.G.3. Uses.

Land and structures may be used only for the following.

a. Permitted Uses.

(1) Church or other place of worship. See Section 5.G.5.a.
(2) College or university. See Section 5.G.5.b.
(3) Nursery, kindergarten, elementary or secondary school. See Section 5.G.5.c.
(4) One family dwelling. See Section 5.G.5.d.
(5) Telephone exchange, transformer substation, water treatment facility, sewage or water pumping station, water storage facility. See Section 5.G.5.e.
(6) Two and three family dwelling. See Section 5.G.5.f.

b. Special Exception Uses.

Land and structures may be used for the special exception uses listed below provided they are part of a campus research park development and related to the purpose and intent thereto. See Section 5.G.6.

(1) Auditorium.
(2) Business incubator.
(3) Business offices for administration of the campus research park.

(4) Business or professional office.
(5) Campus center.
(6) Classrooms and laboratories for basic or applied research and instruction, including research and development in the fields of biotechnology, medical, semi-conductor, pharmaceutical, physical, biological, behavioral sciences and technology, plastics and polymers, photonics and optics, environmental science, toxicology, wildlife medicine, genetics, comparative medicine, bioengineering, cell biology, human and animal nutrition, and veterinary medicine, including administrative and business support services for the foregoing activities.
(7) Conference center.
(8) Day care center, child.
(9) Garden apartments, row houses, apartment houses and dormitories for students, faculty, and employees of colleges and universities and businesses affiliated with the campus research park.
(10) Library.
(11) Live/work units.
(12) Park, playground or recreation facility.
(13) Parking garage or deck.

**5.G.4. General Use Regulations.**

The following regulations shall apply to all uses specified in Section 5.G.3., unless otherwise specified in 5.G.5. and 5.G.6. For mixed use development containing, on one lot, two or more uses specified above, the minimum lot area shall be the sum of the minimum lot areas for each use so located on the lot and the minimum distance shall be 25 feet between principal buildings and 6 feet between accessory buildings.

a. Principal uses and buildings.

| | |
|---|---|
| Minimum lot area, residential, sq. ft. per unit | |
| Garden apartment, row house, live/work unit | 2,500 |
| Apartment | 1,500 |
| Dormitories | 500 per room (plus required parking) |
| Minimum lot area, all others, sq. ft. | 20,000 |
| Minimum lot width, ft. | 100 |
| Minimum front yard, ft. | 25 (see Sec. 5.G.6) |
| Minimum side yard, ft. | 10 (see Sec. 5.G.6) |
| Minimum rear yard, ft. | 25 (see Sec. 5.G.6) |
| Maximum height, ft | |
| One, two and three family dwelling, garden apartments, row houses, live/work units | 35, maximum of three stories |
| All others | 45, maximum of four stories |
| Maximum building coverage | 30% |

b. Accessory uses and buildings.

Detached accessory buildings and uses shall meet all other requirements as specified in Section 3.G. of these Regulations even if such are related to non-residential uses. Minimum side and rear yards for detached accessory buildings and uses shall be six (6) feet.

**5.G.5. Specific Use Regulations: Permitted Uses.**

The following use regulations shall apply to the permitted uses specified below.

a. Church and other place of worship.

(1) The minimum lot area shall be one acre.
(2) Vehicular access onto the site shall be provided solely from a collector or arterial street.
(3) The lot shall be buffered from adjacent properties on the side and rear by a screen or landscaped buffer as defined in Section 8.D.
(4) The minimum building setbacks shall be as follows: front yard 50 feet; side yard 50 feet; and, rear yard 75 feet.
(5) A rectory and/or parish hall is permitted as an accessory use.

b. College or university.

(1) The minimum lot area shall be ten (10) acres.
(2) Vehicular access to the site shall be provided from an arterial street.
(3) The minimum building setbacks shall be as follows: front yard 50 feet; side yard 50 feet; and, rear yard 75 feet.
(4) The site shall be served by municipal sewer and water facilities.
(5) The facility shall be accredited by the State of Connecticut.

c. Nursery, kindergarten, elementary or secondary school.

(1) The minimum lot area shall be two (2) acres.
(2) Vehicular access to the site shall be provided from a collector or an arterial street.
(3) The site shall be served by municipal sewer and water facilities.
(4) The site shall be buffered from adjacent properties on the side or rear yard by a screen, landscaped buffer, or natural buffer as defined in Section 8.D.
(5) The minimum building setbacks shall be as follows: front yard 50 feet; side yard 50 feet; and, rear yard 75 feet.
(6) The facility shall be accredited by the State of Connecticut.

d. One family dwelling.

(1) All one family dwellings shall comply with applicable regulations as specified in Section 4.A. of these Regulations for one family dwellings in the RA-8 Zoning District.

e. Telephone exchange, transformer substation, water treatment facility, sewage or water pumping station, water storage facility.

(1) The facility shall be buffered on all sides by a screen or landscaped buffer as defined in Section 8.D.
(2) There shall be no outside service yard or outside storage.
(3) The facility shall be completely enclosed by a fence at least six (6) feet in height.

f. Two and three family dwelling.

(1) All two and three family dwellings shall comply with applicable regulations as specified in Section 4.B. of these Regulations for two and three family dwellings in the RMF-4 Zoning District.
(2) The site shall be served by municipal sewer and water facilities.

**5.G.6. Specific Use Regulations: Campus Research Park Regulations.**

The following use regulations shall apply to a campus research park development.

a. General Regulations.

At the time of the submission for approval of a petition to change the zone of a site to the Campus Research Park Zoning District, the site shall be under single ownership and control. A campus research park shall contain a combination of two or more uses where the different types of land use are in close proximity, planned as a unified complementary whole, and functionally integrated to the use of shared facilities, all uses designed and intended to be used in accordance with the purpose and intent of the Campus Research Park Zoning District.

b. Overall Layout.

The overall site design for a campus research park is limited to uses specified in Section 5.G.3.b. above. Uses within the campus research park shall be designed and oriented toward one another within a campus-like setting, not oriented toward uses outside the campus research park, and intended for the use of persons and firms associated with the development. The park shall be designed as a unified whole with functional consideration given to the coordinated layout of buildings, the location of streets and sidewalks, the distribution of open space, and landscaping. The location of uses shall be so arranged to limit undue detrimental effect upon surrounding properties including, but not limited to, the effect of noise and other nuisances on abutting residential zoning districts.

(1) Area. The campus research park shall have a minimum gross area of 10 acres that may consist of several contiguous parcels, including parcels that are separated by a public street.
(2) Perimeter Yards. Except as specified below, all buildings or other roofed structures located within the Campus Research Park shall be a minimum of 100 feet from any abutting single-family residential zoning district boundary. Parking areas, including spaces, aisles and related landscaping, may be located within the 100 foot perimeter yard provided they are located a minimum of 50 feet from any single-family residential zoning district boundary. All other areas in the perimeter yard within 50 feet of a single-family residential zoning district boundary shall be left in its natural state unless minimal grading and clearing is required for utilities, as approved by the Planning Commission. If topographic or other barriers do not provide reasonable privacy between the campus research park and abutting single-family residential zoning districts, as determined by the Planning Commission, a view-restrictive screen, landscaped or natural buffer, as specified in Section 8.D., may be required. Undeveloped perimeter yards left as open space may be considered and counted as common open space. These perimeter yard restrictions shall not apply to any portion of the Campus Research Park boundary abutting college or university property where such boundaries are not also within the 100 foot perimeter yard specified above as applicable for all other uses zoned single-family residential.
(3) Motor Vehicle Access. Access to the campus research park across abutting zoning districts shall comply with Section 8.B.2. of these Regulations. All motor vehicle access from a State or municipal road to a campus research park shall comply with all road construction requirements of the City of Danbury, including standards specified in the Subdivision Regulations for a secondary low-density road.
(4) Residential uses. No more than fifty (50) percent of the total ground floor area of all buildings in the campus research park may be devoted to residential uses including accessory buildings**.**

c. Common Open Space.

Not less than thirty (30) percent of the total land area of the campus research park development shall be reserved for common open space, which may include: park, playground and recreational facilities; and bicycle paths, running paths and hiking trails as approved by the Planning Commission. No playground or recreational facility other than bicycle paths, running paths and hiking trails may be located within the front, side or rear yard specified in Section 5.G.4.a. Common open space shall be suitably landscaped and may include, for purposes of calculation, all required yards left as open space abutting other property and adjacent single family

residential zoning districts. All lands not offered for dedication to the City shall be owned and maintained by an association to be formed by the owner(s) of the property. The method of ownership and maintenance of all common open space designated for the development shall be specified at the time of application for approval of a special exception.

d. Parking.

(1) The campus research park development shall meet the requirements of Section 8.C. of these Regulations. References to elderly housing in Section 8.C.4. shall refer to housing restricted to occupants aged 55 or older pursuant to applicable law.
(2) Parking facilities serving primarily a nighttime or weekend use may be counted proportionally as facilities for a primary daytime or weekend use, and vice versa, when each use is assured permanent access to the facilities of the other use, and when there will be no substantial overlapping in parking periods. Shared parking facilities shall be within the same phase containing the uses to be served and under the same ownership or long-term lease for the life of the other use sharing said parking. All plans proposing such shared parking shall include evidence of compliance with this provision at the time of application for special exception approval.

e. Sewer and Water Service.

All uses within the campus research park development shall be served by municipal sewer and water facilities.

f. Performance Bonds.

(1) All improvements shall, unless specifically agreed to by the City, be made by the owner at his expense, without reimbursement by the City. To ensure completion of all required public improvements, including public road improvements, the Planning Commission may, as a condition of approval of the special exception, require a performance bond to be filed with the City, in an amount recommended by the City Engineer, to represent its estimate of the cost of the proposed work plus an additional factor of twenty (20) percent. The bond shall be posted in the form of a passbook savings account or letter of credit to the City under terms acceptable to the City.
(2) All provisions of the Subdivision Regulations governing performance bonds shall apply. The term of a letter of credit shall not be less than the time remaining to complete the approved special exception site plan plus as additional six (6) months. A letter of credit shall provide for at least thirty (30) days written notice of expiration to the Planning Commission. The amount of the performance bond may be reviewed by the City every two years and said amount may be adjusted as deemed necessary to ensure that adequate funds are available to complete all work as required by these Regulations.

**5.G.7. Special Exception Applications.**

a. General.

Applications for approval of special exceptions, including the Campus Research Park, shall be submitted to the Planning Commission in accordance with Section 10.C. of these Regulations, including submission of a site plan in accordance with Section 10.D. of these Regulations, for the proposed development or for each phase or phases thereof. A separate site plan shall be submitted for each phase of development. All site plans that include a campus center shall indicate the uses proposed to be located within the center. Each site plan shall indicate the total ground floor area of buildings devoted to residential uses.

The Planning Commission may require such reasonable conditions as permitted under law upon approval as may be necessary to ensure that the site plan conforms to the requirements of these Regulations.

b. General Layout Plan.

To ensure that all provisions of these Regulations shall be met upon completion of a Campus Research Park, all applications for development submitted for approval in phases within the campus research park shall include with the site plan application a General Layout Plan of the entire campus research park which shall include the following:

(1) Name of proposed development; name and address of the property owner; if the petitioner is not the property owner, a statement of consent executed by the property owner; name, address and seal of the individual or firm(s) preparing the General Layout Plan; date of the site plan application;
(2) The total tract and proposed phase boundaries of development, drawn in accordance with an applicable Class A-2 Survey, which complies with the 1976 code adopted by the Connecticut Association of Land Surveyors, with distances marked to at least the nearest foot; all perimeter yards as required herein; graphic scale, north point or arrow; vicinity map showing surrounding properties and existing zoning; topography, wetlands, flood plains, streams and rivers, based on readily available information;
(3) Area in square feet of the total campus research park site and each phase; a note stating the total area in square feet required for common open space in the campus research park and provided in each site plan;
(4) General layout of approved phases of development and the site plan for phases submitted for approval, including structures, parking, and vehicular access; for the remainder of the campus research park, existing buildings and structures and existing and proposed rights-of-way, easements, storm drainage facilities and public utility extensions and easements; and,
(5) All existing and proposed streets providing motor vehicle access to each phase and the total length of streets proposed to be conveyed to the City, if any; off-site road and intersection improvements proposed to serve the campus research park.

The General Layout Plan shall be updated as necessary as each new site plan application is submitted for each phase.

### 5.G.8. Relationship With Other Regulations.

All other provisions of the Zoning Regulations not in conflict with specific provisions of this Section 5.G. shall apply. All site plans that require or contemplate a subdivision or resubdivision of land shall comply with the Subdivision Regulations of the City of Danbury. These Regulations shall not abrogate or annul other applicable municipal, state or Federal regulations.

## 5.H. ADDITIONAL COMMERCIAL REGULATIONS.

The following regulations shall apply to all commercial districts unless exempted herein.

### 5.H.1. Landscape Requirements.

a. General.

All required landscaping and perimeter plantings shall be indicated on a Landscaping Plan submitted as part of the site plan as required in Section 10.D. and shall be in accordance with these Regulations and those specified in Section 8.D. of these Regulations for landscaped buffers.

b. Front Yards.

In all commercial zoning districts except CN-5 and C-CBD, a continuous perimeter planting strip not less than

twenty (20) feet deep shall be maintained along the entire front lot line from the street/front lot line to the balance of the lot. The perimeter planting strip shall be fully landscaped with a combination of trees and shrubs. Grass, flowers or other living ground cover shall be planted and mulched on incidental portions of the perimeter planting strip not covered by other landscape material. All plant material shall be maintained. This perimeter planting strip required for front yards may be crossed by approved driveways and walks provided that (1) in no case shall such plantings obscure required sight distances for driveways and (2) travel lanes serving drive-through uses shall not extend into front yard setbacks or perimeter planting strips (see §3.E.8.). The parking of motor vehicles or equipment within the perimeter planting strip is prohibited. Front yard perimeter planting strips are not required for one, two or three family dwellings.

All perimeter planting strips require review and approval by the Planning Commission in the case of special exceptions or by the Department of Planning and Zoning in the case of permitted uses to determine compliance with this section.

c. Residential District Buffers.

In all commercial zoning districts except CRP and C-CBD, where any portion of any side or rear lot line of any use abuts a residential zoning district boundary, said use shall be screened from view from the residential district boundary by a minimum twenty (20) foot deep perimeter planting strip along said lot line. The area to be screened shall be substantially covered with a combination of shrubs and deciduous and coniferous trees, all selected to provide a view-restrictive screen. Grass or other living ground cover shall be planted and mulched on incidental portions of the landscape strip not covered by other landscaping material. A view-restrictive fence or wall may also be required to ensure adequate screening. All plant material shall be maintained. Residential district buffers are not required for one, two or three family dwellings.

All residential buffer strips require review and approval by the Planning Commission in the case of special exceptions or by the Department of Planning and Zoning in the case of permitted uses to determine compliance with this section.

**5.H.2. Parking.**

No off-street parking, storage or display of motor vehicles shall be permitted in the required front yard setback of any use in any commercial zoning district. All parking areas in commercial zoning districts shall meet the requirements specified in Section 8.C.

**5.H.3. Signs.**

All signs in commercial zoning districts shall comply with the sign regulations specified in Section 8.E.

**5.H.4. Health centers, gymnasiums, reducing salons, tanning salons, or swim clubs.**

Health centers, gymnasiums, or reducing salons may provide massage therapy, as herein defined, as an accessory use operated in conjunction with athletic, physical fitness, or weight reduction programs, provided such services are administered solely by a massage therapist licensed to practice massage therapy by the State of Connecticut. A copy of a current Connecticut massage therapist license for each person administering massage therapy on the premises shall be included with the application for a Zoning Permit for the use; all additional persons administering massage therapy on the premises shall provide the Zoning Enforcement Officer with a copy of their current massage therapist licenses. Current licenses for all persons administering massage therapy shall be prominently displayed on the premises. A floor plan of the proposed facility showing all rooms, facilities and their intended uses shall accompany the application for a Zoning Permit. [Eff. 11/26/2011]