

## 7.5 Sidewalks

### 7.5-1 Applicability (Eff: 6/1/92)

Sidewalks shall be provided in accordance with this section along the road frontage of all lots for any building or use hereafter erected, enlarged, or intensified and thus requiring site plan approval, in all zones, except as noted in Section 7.5-5. The Planning Commission may require that provision be made to connect the sidewalk in front of the subject site to sidewalks in the vicinity of the site or to a point where a pedestrian may continue to safely travel beyond the subject site.

### 7.5-2 Frontage Sidewalks (Eff: 6/1/92)

Sidewalks as required by this section shall be constructed at minimum, along the entire road frontage of a site, shall be 5 feet in width along arterial and collector roads and 4 feet in width along local roads, concrete, and provide for handicapped access at curb cuts and road intersections, unless otherwise stipulated or modified by the Planning Commission. Nothing in this section shall be deemed to restrict the Planning Commission from requiring wider sidewalks considered necessary in conjunction with development of particular sites such as schools, commercial centers, multi-family developments, institutional uses, and other, more intense, pedestrian generators. Where a road is slated for reconstruction, the Commission may allow temporary sidewalks built to a lesser standard.

Sidewalks shall be located 1 foot off of the property line or 8 feet off the gutter line, the exact location to be determined at the time of application. Where a location of 8 feet off the gutter line is required, and this location falls outside of the road right-of-way onto private property, the applicant may exercise one of two options. The applicant may choose to deed property to the Town increasing the width of the right-of-way, or the applicant may grant an easement to the Town allowing the public to pass and repass over the portion of the sidewalk located on private property. In either case noted above, at the time of site plan application, setbacks will be measured from the original property line.

7.5-3 Extension of Sidewalks (Eff: 6/1/92)

The Planning Commission may require that sidewalks constructed under this section be extended for a reasonable distance to sidewalks existing along the road frontage on either side of the subject lot or to a point where a pedestrian may safely return to the road travelway at locations where no other sidewalks exist. In making such a determination, the Commission may require such extension under the following conditions:

- A. The existing Zoning and Subdivision Regulations, and existing developed conditions on abutting properties, make future development of sidewalks along these property frontage(s) unlikely, as determined by the Planning Commission.
- B. Physical conditions along the frontage of abutting property(s) are such that development of the sidewalk extension would not result in unreasonable development cost.
- C. Development of the subject site for the uses proposed, including but not necessarily limited to schools, commercial centers, multi-family developments, institutional uses or other, more intense, pedestrian generators, would result in a reasonable need to link the use with living areas, pedestrian systems, roads, recreational areas, educational, community or shopping facilities, or other activity centers, to promote public safety and convenience. The Commission shall further take into consideration the number of existing pedestrians and the number of new pedestrians to be generated by the proposed use.

Under no circumstances shall such extension be required to exceed 200 feet. In all cases, the ends of sidewalks not connected to an existing sidewalk system shall be returned to grade at the curb or gutter line.

7.5-4 Internal Sidewalks (Eff: 6/1/92)

Sidewalks along a site's frontage shall be connected to the buildings and/or land uses on the site by a system of internal sidewalks. This internal system of sidewalks should also function to serve people

walking from on-site parking lots to the main entrances of any building or any other point of on-site pedestrian destination. In addition, the Planning Commission may require internal sidewalks to connect to adjacent properties where there is evidence that significant cross-movement of pedestrians will occur.

Internal sidewalks shall be constructed of concrete, unless otherwise approved by the Planning Commission, and shall be a minimum of 4 feet wide. In cases where parking abuts the sidewalk, the walk shall be 6 feet wide.

#### 7.5-5 Options

- A. If in the opinion of the Planning Commission frontage sidewalks do not appear to be warranted at the time due to lack of existing/anticipated development in the area and/or resulting pedestrian traffic, the Commission may postpone the installation of the frontage sidewalk to a later date. In exercising this option, the applicant must demonstrate and the Commission must find that the postponement of installing the frontage sidewalk will not significantly endanger the health, safety and welfare of the existing or anticipated pedestrian traffic along the frontage of the property. If this option is exercised, the approved site plan shall provide all necessary information concerning the future sidewalk including, but not limited to, location, grades, elevations, and other details necessary for the future construction of said sidewalk.

In addition, prior to filing the approved site plan on which this option is exercised, the developer and Commission shall enter into a written, binding agreement indicating that sidewalks will be installed at a later date which 1) has been determined at the time of approval, or 2) will be determined at a future date when conditions change (i.e. additional development or pedestrian activity in the area, Town-initiated sidewalk extensions, etc.). This agreement shall be filed in Land Records.

- B. Where a new road system is being constructed as a result of a commercial, industrial/office, or multi-family development, the Commission may allow an alternative to frontage sidewalks,

such as a bike path or running/walking trail. This option is intended to provide an alternative to frontage sidewalks in

those developments which are self-contained and/or where internal sidewalks connecting one property to another would better serve the walking public.

- C. The Commission may waive the requirement for sidewalks altogether where the applicant demonstrates and the Commission finds that 1) there will be no significant pedestrian movement to the site and/or between the site and those adjacent to it, and/or 2) topography or other physical limitations prohibit the reasonable installation of said sidewalk.

## SECTION 8

### ADMINISTRATION AND ENFORCEMENT

#### 8.1 Zoning Enforcement

##### 8.1-1 Authority

These regulations shall be enforced by the Zoning Commission, acting by and through the Zoning Official. The Zoning Official may cause any building, structure, place or premises to be inspected and examined, and to order in writing the remedying of any condition found to exist therein or thereat in violation of any provision of these regulations. The owner or agent of a building or premises where a violation of any provision of such regulations has been committed or shall exist, or the lessee or tenant of any 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 has been committed or exists, shall be fined in accordance with the General Statutes of the State of Connecticut.

Any official having jurisdiction in addition to other remedies may institute an action or proceeding to prevent the unlawful erection, construction, alteration, conversion, maintenance, or use of a building, or to restrain, correct, or abate such violation, or to prevent occupation of buildings, structures, or land, or to prevent any illegal act, conduct, business, or use in or about such premises.

##### 8.1-2 Zoning Permit

No building or structure shall be erected, added to, or structurally altered and no use shall be established until a Zoning Permit has been issued by the Zoning Official. All applications for such permits shall be in accordance with the requirements of these regulations.

##### A. Application

Every application for Zoning Permit shall be accompanied by such information and exhibits as are required herein or may be

reasonably required by the Zoning Official in order that the proposal of the applicant may be adequately interpreted and judged as to its conformity with the provisions set forth in these regulations. The application shall include a certification that the lot is on record by map or by deed, including the date of recording, or is in a subdivision which has been approved by the Planning Commission.

B. Plot Plan

The application shall be accompanied by two copies of a plot plan based on a survey prepared by a land surveyor registered in the State of Connecticut, drawn to scale showing the actual dimensions of the lot to be built upon, the size of the building(s) to be erected, the location of the building upon the lot, the floor area ratio, the dimensions of all open spaces, the setback lines observed by buildings, the location of driveways and curb cuts, the area and percentage of impervious cover, both existing and proposed, if subject to site plan review and approval provisions under Section 8.4 of these regulations and such other information as may be necessary. The Building Official may waive any of the plot plan requirements in cases where it is not needed to determine conformity with these regulations. (Eff: 1/1/02; 3/1/02)

8.1-3 Certificate of Zoning Compliance (Eff: 3/7/88)

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, until a Certificate of Zoning Compliance shall have been issued by the Zoning Official, stating that the premises or building complies with all the provisions of these regulations. Such a Certificate is also required for any change, extension, or alteration in a use. Applications for Certificate of Zoning Compliance shall be accompanied by a certified plot plan of the lot and buildings involved, showing the exact placement of the structures on the lot. No such Certificate of Zoning Compliance shall be issued by the Zoning Official until all zoning requirements and conditions have been met.

8.1-4 Fees

All applications for Zoning Permit and Certificate of Zoning Compliance shall be accompanied by a fee, as determined from time to time by the Zoning Commission, to cover the cost of administration. Said fee shall be paid at the time of filing the application.

8.1-5 Special Conditions

Any maps, plans, documents, statements and stipulations submitted to and approved by the Planning Commission, the Zoning Commission, the Zoning Board of Appeals, and/or the Inland Wetlands Agency in connection with Site Plan, Special Permit, Variance, Wetlands Permit, or other action of said Commission(s) as required by these regulations, and any conditions of such approval(s) attached by said Commission(s) shall be conditions for the approval of applications for and the issuance of a Zoning Permit and a Certificate of Zoning Compliance by the Zoning Official. Prior to issuance of a Zoning Permit or a Certificate of Zoning Compliance, the applicant shall obtain and submit all approvals required by any other Municipal, State, or Federal department, bureau or agency.

## 8.2 Zoning Amendments

### 8.2-1 Authority

The Zoning Commission, on its motion or on petition, may amend, change, modify, or repeal these regulations or the zoning map, after public notice and hearing, in accordance with the General Statutes of the State of Connecticut.

### 8.2-2 Applications

Any person, firm, or corporation desiring an amendment or change in the zoning regulations and/or map of the Town of Groton may submit an application proposing such amendment or change, to the Zoning Commission. Before the Commission shall consider any such petition, the following requirements shall be met and information submitted by the person, firm, or corporation submitting the petition.

#### A. Zoning Map Changes

All proceedings to change the boundaries or classification of a zoning district shall be instituted by application in writing to the Zoning Commission. Applications shall be signed by the person, firm, or corporation proposing the amendment or change or by the attorney or agent for such person, firm or corporation. The application shall give the zoning and a metes and bounds description of the land to be included in the amendment or change. Reasons for the proposed amendment or change may also be stated. The application shall also include:

1. Five copies of a map showing all existing lots, dimensions, property lines, and streets, the existing zoning, the proposed zoning, the existing contours at a contour interval not to exceed 10 feet, the north point and the name of the petitioner. (Eff: 1/1/02)
2. The map shall show the above required information for the area included in and within 500 feet of the area affected by the application.

3. The ownership of all lots within 200 feet of the area proposed to be rezoned, as indicated in the current records of the Town of Groton, shall be shown on the map.
4. The map shall be accurately drawn to a scale of 100 feet or up to 400 feet to the inch. The map may show any other information considered pertinent by the applicant.

B. Amendments to the Regulations

All proceedings to change the provisions of these regulations, including any change in punctuation or wording, shall be instituted by application in writing to the Zoning Commission in which the specific provisions to be changed and the provisions to be substituted, deleted, or added shall be precisely set forth. Ten copies of the existing and proposed text shall be submitted. Applications shall be signed by the person, firm or corporation proposing the amendment change or by the attorney or agent for such person, firm or corporation. Reasons for the proposed amendment or change may also be stated in the application.

C. Fees

All applications and appeals shall be accompanied by a fee, as determined from time to time by the Commission, to cover the cost of administration. Said fee shall be paid at the time of filing the application.

8.2-3 Public Hearing

The Commission shall hold a public hearing on all proposed amendments and changes to the zoning regulations or map and shall publish a notice of said hearing in a newspaper of general circulation in accordance with the General Statutes of the State of Connecticut.

8.2-4 Notice of Amendment to Zoning Map

Before a public hearing is held on any petition concerning an amendment to the zoning map of the Town of Groton, the petitioner

shall present proof to the Commission prior to the start of the public hearing or at the start of a continued hearing, if continued for the purpose of receiving proof of the notice described herein, that notice has been deposited at least 10 days but not more than 30 days in advance of the date of the advertised hearing in a Post Office regularly maintained by the U.S. Government, directed to each of the current owners of lots located within the area and also within 200 feet from the boundaries of the area proposed to be changed, as such owners and addresses appear on the CAMA database maintained by the Groton Assessor. (Eff: 2/16/01)

8.2-5 Affidavit of Compliance

The petitioner requesting a proposed change of the zoning map shall, on or before the date of the public hearing, file with the Zoning Commission a certificate of mailing documenting compliance with Section 8.2-4.

8.2-6 Exemptions

The provisions of Sections 8.2-2, 8.2-4, and 8.2-5 shall not apply to proposed amendments initiated by the Zoning Commission or the Planning Commission of the Town of Groton.

8.2-7 Referrals

All proposed zoning amendments or changes shall be referred to the Planning Commission for a report at least 35 days prior to the date assigned for a public hearing on such request. The failure of the Planning Commission to report prior to or at the hearing shall be taken as approval of such proposals. A statement of the vote of the Planning Commission approving, disapproving, or proposing a modification of such proposal shall be publicly read at the public hearing. The full report of the Planning Commission regarding such proposal shall include the reasons for the Commission's vote and shall be incorporated into the records of any public hearing held thereon. A proposal disapproved by the Planning Commission may be adopted by the Zoning Commission by a vote of not less than two-thirds of all the members of the Zoning Commission. The Zoning Commission shall give written notice of the regional planning agency of proposed zoning amendments when required by the General Statutes of the State of Connecticut.



8.2-8 Protest of Proposed Amendment

Where a protest is filed with the Zoning Commission at a public hearing on a proposed amendment signed by the owners of 20% or more of the area of the lots included in such proposed change, or of the lots within 500 feet in all direction of the lots included in the proposed change, such change shall not be adopted except by a vote of two-thirds of the entire membership of the Zoning Commission.

8.2-9 Pending Zoning Map Changes

Whenever there shall be pending before the Zoning Commission any proposal for an amendment to the Zoning Map, which proposed amendment shall have been initiated or promulgated upon a motion by the Zoning Commission or the Planning Commission, the Zoning Official shall have the authority to withhold approval for a period of not more than 65 days from the date of first public notice of the public hearing of any Zoning Permit for the construction or substantial alteration of any building upon any lot likely to be affected by the final determination of such motion, pending the public hearing and final decision by the Zoning Commission.

8.2-10 Effective Date of Amendments

Zoning regulations, boundaries of zoning districts, and any amendments or changes thereto shall become effective at such time as may be fixed by the Zoning Commission, provided notice shall have been published in a newspaper having substantial circulation in the Town of Groton.

### 8.3 Special Permit Procedure

#### 8.3-1 Authority

In all cases where these regulations require approval by special permit, no zoning permit shall be issued by the Zoning Official except after public notice and hearing in accordance with the General Statutes of the State of Connecticut and upon authorization of the Zoning Commission.

#### 8.3-2 Applications

Applications for a special permit shall be made in writing and shall include:

- A. A statement describing the proposed use or uses.
- B. A location map in accordance with Section 8.4-4 B.
- C. Five copies of a sketch plan indicating the boundaries of the property, the location and height of all buildings and uses, the location and arrangement of parking and loading spaces, the location and description of all open spaces, screening and buffer area. (Eff: 1/1/02)
- D. An application fee.
- E. Such other information as the Commission may require to determine compliance with the intent and purpose of these regulations.

#### 8.3-3 Fees

All applications shall be accompanied by a fee, as determined from time to time by the Commission, to cover the cost of administration. Said fee shall be paid at the time of filing the application.

#### 8.3-4 Public Hearing

The Commission shall hold a public hearing on all applications for a special permit, and shall publish a notice of said hearing in a

newspaper of general circulation in accordance with the General Statutes of the State of Connecticut.

8.3-5 Notice of Public Hearing

Before a public hearing is held on any application for a special permit, the petitioner shall present proof to the Commission prior to the start of the public hearing or at the start of a continued hearing, if continued for the purpose of receiving proof of the notice described herein, that notice has been deposited at least 10 days but not more than 30 days in advance of the date of the advertised hearing in a Post Office regularly maintained by the U.S. Government, directed to each of the current owners of lots located within 150 feet from the boundaries of the subject properties, as such owners and addresses appear on the CAMA database maintained by the Groton Assessor. (Eff: 2/16/01)

8.3-6 Affidavit of Compliance

The petitioner requesting the special permit shall, on or before the date of the public hearing, file with the Zoning Commission a certificate of mailing documenting compliance with Section 8.3-5.

8.3-7 Referrals

Upon receipt of a special permit application, the Zoning Commission shall refer the application to the Planning Commission for review and recommendations to be submitted prior to or at the public hearing.

8.3-8 Special Permit Objectives

In evaluating a special permit, the Zoning Commission shall take into consideration the health, safety and welfare of the public in general, and the immediate neighborhood in particular, and may prescribe reasonable conditions and safeguards to insure the accomplishment of the following objectives:

A. Harmony With Development

That the proposed use is of such location, size, and character that, in general, it will be in harmony with the appropriate and

orderly development of the district in which it is proposed to be situated and will not be detrimental to the orderly development of adjacent properties in accordance with the zoning classification of such properties.

B. Traffic Circulation

That the location and size of such use, the nature and intensity of operations involved in connection therewith, its site layout and its relation to access streets shall be such that both pedestrian and vehicular traffic to and from the use and the assembly of persons in connection therewith will not be hazardous or inconvenient, or incongruous with, any residential district or conflict with the normal traffic of the neighborhood.

C. Impact on Environment

That the location and size of such use, the nature and intensity of operations involved in connection therewith, and the site layout and development will not have a negative impact on any environmental and natural resource areas on or adjacent to the site or within the neighborhood.

8.3-9 Commission Action

Within 65 days after the date of the public hearing or official submission of all data requested by the Commission, whichever date is later, the Commission shall approve, modify and approve, or disapprove the special permit application. The applicant may consent in writing to an extension of time for the public hearing and action on the application, and such extension shall not exceed one additional 65 day period. The grounds for disapproval shall be stated in the records of the Commission. Failure to submit additional information requested in writing by the Commission within the 65 day period for action shall be grounds for disapproval of the application. A special permit approved by the Commission shall take effect upon filing a copy thereof in the Office of the Town Clerk and in the Land Records. Upon approval of a special permit, the applicant shall submit a site plan or administrative site plan in accordance with Section 8.4 to the Planning Commission or Director of Planning and Development or designee, whichever is appropriate,

for approval prior to applying for a Zoning Permit from the Zoning Official. (Eff: 10/1/92; Eff: 1/1/02)

8.3-10 Revocation

Any authorized special permit shall be subject to revocation by the Commission if any conditions or safeguards imposed by the Commission upon buildings, structures, land or uses for said permit are not strictly adhered to by the applicant and/or owner.

8.3-11 Amendments or Modifications

Applications for special permit amendments or modifications which are necessitated by site conditions or which are deemed to be in the public interest shall be made in the same manner as the original application; except that amendments or modifications which are found to be of a minor nature or which do not materially alter the special permit as determined by the Commission, may be authorized after Commission approval only, in lieu of another public hearing.

8.3-12 Time Period and Expiration

In approving a special permit, the Commission may set or impose time periods or limits on the permit or require periodic renewal of the permit without a public hearing. In the event an appeal is taken, directly or indirectly, from the Commission's approval of a special permit, then the time period shall commence on the date of final resolution or disposition of such litigation. Expired special permits shall be considered null and void and of no effect.

## 8.4 Site Plan Review and Approval

### 8.4-1 Authority (Eff: 6/1/91)

Site plan review and approval by the Planning Commission shall be required, except as noted below, before any Zoning Permit is issued for any building or use or enlargement in size or other alteration of any building or change in use of any building including accessory structures which enlargement or alteration or change of use results in a more intensive use of a property than prior to such action. More intensive use shall include additional residential units, additional employees, additional clientele or customers, additional floor space for sales or service, or additional required parking. No Certificate of Site Plan Compliance shall be given unless all construction and development conforms to the plan as approved by the Planning Commission or the Director of Planning and Development or designee. (Eff: 1/1/02)

#### A. Exemption

Site plan approval shall not be required for any temporary use or any detached one or two family dwellings or any uses accessory thereto, such as a private garage or storage shed incidental to residential uses.

#### B. Waiver

The Planning Commission may waive site plan approval requirements if the construction or alteration or change of use does not affect existing circulation, drainage, relationship of buildings to each other, landscaping, buffering, lighting and other considerations of site plan review.

#### C. Administrative Site Plan Approval

Site plan review and approval may be granted by the Director of Planning and Development or designee for minor land uses, incidental filling with or removal of earth products in quantities not exceeding 1,000 cubic yards, and modifications to previously approved site plans where the proposed use or modification does not significantly affect the intensity of the use, the building footprint, traffic circulation, public safety,

and impact on surrounding areas. Application shall be made on a form prescribed by the Planning Department and the amount and detail of information required for submittal shall be determined by the Director of Planning and Development or designee and be consistent with Section 8.4-4 of these regulations. All other applicable requirements of the Zoning Regulations must be met during the administrative site plan review process. (Eff: 1/1/02)

Applicants for administrative site plan approval shall be notified in the event that the Director of Planning and Development or designee will not administratively act on submitted plans, in which case the application will be automatically submitted to the Planning Commission. The Director of Planning and Development or designee shall approve, modify and approve, or disapprove all applications for administrative site plan approval within 65 days after statutory receipt of such application and the applicant may consent to one or more extensions of such period, provided the total period of any such extension shall not exceed two further 65-day periods. Any person aggrieved by the decision of the Director of Planning and Development or designee may apply to the Planning Commission for site plan approval pursuant to Section 8.4-1 of these regulations. (Eff: 1/1/02)

#### 8.4-2 Coastal Site Plan Review

##### A. Applicability

The following site plans, plans, and applications for activities or projects to be located fully or partially within the adopted coastal area boundary shall be subject to coastal site plan review and to the requirements of Chapter 444, Sections 22a-90 through 22a-113 of the Connecticut General Statutes as amended.

1. Site plans submitted to the Planning Commission.
2. Subdivision plans submitted to the Planning Commission.

3. Plans submitted to the Planning Commission for a planned unit development.
4. Applications for a special permit submitted to the Zoning Commission.
5. An application for a zoning variance submitted to the Zoning Board of Appeals.
6. A referral of a proposed municipal project to the Planning Commission.

B. Exemptions

Under the authority of Chapter 444, Section 22a-109(b) of the Connecticut General Statutes, the following uses, structures, and activities are exempt from review except that in the instance of properties regulated by Section 6.3 - Waterfront Design District, subsections 1, 2, and 3 below shall not be exempt from coastal site plan review:

1. Minor additions to or modifications of existing buildings or detached accessory buildings such as garages and utility sheds except in instances where Section 6.8 is applicable.
2. Construction of new or modification of existing structures incidental to the enjoyment and maintenance of residential property including but not limited to walks, terraces, driveways, swimming pools, tennis courts, docks, and detached accessory buildings except in instances where Section 6.8 is applicable.
3. Construction of new or modification of existing on premise fences, walls, pedestrian walks and terraces, underground utility connections, essential electric, gas, telephone, water and sewer service lines, signs and such other minor structures as will not substantially alter the natural character of coastal resources or restrict access along a public beach.
4. Construction of an individual conforming single family residential structure except in or within 100 feet of the

following coastal resource areas as defined by Section 22a-93(7) of the Connecticut General Statutes: tidal wetlands, coastal bluffs and escarpments, and beaches and dunes.

5. Activities conducted for the specific purpose of conserving or preserving soil, vegetation, water, fish, shellfish, wildlife, and other coastal land and water resources.
6. Gardening, grazing, and the harvesting of crops.
7. Interior modifications to buildings.
8. Minor changes in use of a building, structure, or property except those changes occurring on property adjacent or abutting coastal waters.

C. Coastal Site Plan Contents

A coastal site plan shall include a plan showing the location and spatial relationship of coastal resources on and contiguous to the site; a description of the entire project with appropriate plans indicating project location, design, timing, and methods of construction; an assessment of the capability of the resources to accommodate the proposed use; an assessment of the suitability of the project for the proposed site; an evaluation of the potential beneficial and adverse impacts of the project and a description of proposed methods to mitigate adverse effects on coastal resources.

Any persons submitting a coastal site plan as defined above shall demonstrate that the adverse impacts of the proposed activity are acceptable and shall demonstrate that such activity is consistent with the goals and policies of Section 22a-92 of the Connecticut General Statutes.

D. Coastal Site Plan Action

The board or commission reviewing the coastal site plan shall, in addition to the discretion granted in any other sections of

the Connecticut General Statutes or in any special act, approve, modify, condition or deny the activity proposed in a coastal site plan on the basis of criteria listed in Chapter 444, Section 22a-106 of the Connecticut General Statutes. Further, pursuant to Connecticut General Statutes, Section 22a-106(e), the reviewing commission must find that the proposed activity is consistent with all applicable goals and policies of Section 22a-92 and incorporates as conditions or modifications all reasonable measures which would mitigate the adverse impacts of the proposed activity on both coastal resources and future water-dependent development activities.

The board and commission approving, modifying, conditioning or denying a coastal site plan on the basis of criteria listed above shall state in writing the findings and reasons for its action.

#### 8.4-3 Site Plan Procedure

##### A. Application

Each application for site plan approval shall be submitted to the Director of Planning and Development or designee on a form established for that purpose and shall be accompanied by nine copies of a site plan, as well as the applicable fee. (Eff: 1/1/02)

Prior to submission of a formal site plan application, the applicant may meet with the Director of Planning and Development or designee to discuss the site plan application and if the Director or designee deems it appropriate may waive the submission of specific information identified in Section 8.4-4. (Eff: 1/1/02)

##### B. Planning Commission Action

The Planning Commission shall approve, modify and approve, or disapprove the site plan within 65 days of the date of certification of said application, unless an extension of time is applied for by the applicant and granted by the Commission. Failure to act within such time period shall be deemed approval. The Commission's disapproval shall include written

findings on any site plan element found contrary to either the provisions or intent of these regulations.

C. Surety

The Planning Commission, in approving any site plan, may require, as a condition of said approval, the applicant to post satisfactory surety in order to assure satisfactory completion of and full compliance with all proposed improvements, not including buildings, shown on the approved site plan and other approved documents.

D. Recording of Plans; Expiration (Eff: 9/4/93)

Prior to commencement of construction, site plans, which bear upon them the seal of a Connecticut registered Professional Engineer or Land Surveyor, shall be recorded in the Land Records of Town Hall and a Notice of Action obtained. Any approved site plan or administrative site plan for which construction is not commenced or which is not otherwise put into effect within a period of one year from the date of approval, shall become null and void unless an extension of time is applied for by the applicant and granted by the Planning Commission or, for administrative site plans, by the Director of Planning and Development or designee. (Eff: 1/1/02)

E. Modifications

Application for site plan modifications or changes to an approved site plan shall be made to the Director of Planning and Development or designee in the same manner as the original application. (Eff: 5/1/03)

F. Certificate of Site Plan Compliance (Eff: 3/7/88)

No Certificate of Occupancy or other, final approval may be issued until the applicant has received a Certificate of Site Plan Compliance from the Planning Department. When minor site work cannot be completed because of weather or other pertinent reason, a conditional Certificate of Site Plan Compliance may be issued for a period not to exceed 180

days, providing satisfactory surety shall be posted with the Town of Groton in an amount sufficient to complete the site work. Upon receipt of a request for Certificate of Site Plan Compliance by the Planning Department, members of the Staff Review Team (Building Official, Ledge Light Health District, Public Works Department, Fire Marshal, and Utilities) will 1) be notified of the request; 2) be given the opportunity to review those site development items which fall within their purview; and 3) make a report to the Planning Department of the site's acceptability and compliance. Improvements which have not been made will be noted and bond estimates made where appropriate. The Planning Department will notify the applicant of the results of these reviews. The Planning Department will notify the Building Official when a Certificate of Site Plan Compliance or a conditional Certificate of Site Plan Compliance is issued and its conditions. A request for Certificate of Site Plan Compliance from the Planning Department must be made at least 10 days before a Certificate of Occupancy or other, final approval is requested from the Building Official. Upon written request of the applicant and satisfactory completion of the site work, the Planning Commission or its designee shall release any surety posted under this provision. (Eff: 1/1/02)

The Planning Commission shall require in certain cases that "as-built" plans, prepared by a professional engineer registered in the State of Connecticut, be submitted at the time of request for Certificate of Site Plan Compliance. "As-builts" shall be required as follows:

1. As a condition of site plan approval where it is determined that the development proposed is of such a scale and/or peculiar nature as to merit it, or where the size of the site in relation to the proposed development would justify the need for verification that structures have been placed accurately.
2. Where there may be several modifications to an already approved site plan requiring Planning Commission approval, in lieu of requiring the recording of each modified plan in Land Records.

3. Where there is a disagreement between an applicant and the Planning Department concerning conformance with an approved plan at the time a request is made for a Certificate of Site Plan Compliance.

All "as-built" plans shall be accompanied by a statement certifying that the site work has been completed in accordance with the most recently approved site plan.

#### 8.4-4 Contents of Site Plan

For all uses requiring site plan approval, a site plan application shall include the following information:

##### A. General Information

1. Name and address of the applicant and current owner as listed on the Town's tax rolls. (Eff: 1/1/02)
2. Date, north arrow, and numerical and graphical scale on each map.
3. A written description of the proposed use or uses and type of work proposed. (Eff: 1/1/02)
4. A table or chart indicating the proposed number or amount and types of uses, lot area, lot width, yards, building height, coverage, floor area and floor area ratio, parking spaces, existing and proposed impervious cover, landscaping, and open spaces as they relate to the requirements of the Zoning Regulations. (Eff: 1/1/02)
5. The property address and/or parcel identification number. (Eff: 1/1/02)

##### B. Location Map (Eff: 5/1/99)

Applications shall include an accurate scale location map as depicted on the Zoning Map and shall be submitted showing the subject property and all property and streets within 1000 feet of any part of the subject property, and the following information:

1. All lots and lot lines.
2. All zoning district boundaries.
3. All existing streets and roads.

##### C. Site Plan

The site plan shall include an accurate class A-2 survey of the property and all improvements prepared by a land surveyor registered in the State of Connecticut. All plans shall be

prepared, signed, and sealed by a Connecticut registered engineer, architect, or landscape architect whichever is appropriate. All plans shall be prepared at a scale of one inch equals 20 feet or, at the discretion of the Planning Director, any other appropriate scale. The plans shall illustrate the proposed development of the property and shall include the following information:

1. The Property

- a) The boundaries of the property.
- b) Location, width, and purpose of all existing and proposed easements and rights-of-way on the property.
- c) Existing and proposed contours with intervals of two feet, referred to USGS MSL datum.
- d) Location of all existing wooded areas, watercourses, wetlands, rock outcrops, and other significant physical features, and where appropriate, the mean high water line, the wetlands boundary, the flood hazard area, and the channel encroachment line.

2. Buildings and Uses

- a) Location, design, and height of all existing and proposed buildings, signs, fences, and walls.
- b) Location of all existing and proposed uses and facilities not requiring a building such as tennis courts, light standards, tanks, transformers and dumpsters.

3. Parking, Loading and Circulation

- a) Location, arrangement, and dimensions of automobile parking spaces, aisles, vehicular drives, fire lanes, entrances, exits, and ramps.

- b) Location, arrangement, and dimensions of loading and unloading areas.

- c) Location and dimensions of pedestrian walkways, entrances, exits and walks.

4. Open Space and Landscaping

- a) Size, arrangement, uses, and dimensions of open space on the site.
- b) Location, general layout, type and size of buffer or landscape area, plant material, fencing, screening devices, decorative paving, or other materials proposed.
- c) Location of existing trees with a trunk caliper of more than 6 inches except in densely wooded areas where the foliage line shall be indicated.

5. Signs and Lighting

- a) Location, size, height, orientation and plans of all signs.
- b) Location, size, height, orientation and design of any outdoor lighting.

6. Utilities

Location and design of all existing and proposed sanitary sewer, storm drainage, water supply facilities, and refuse collection areas, as well as other underground and above ground utilities.

7. Hazardous Materials and Wastes

The following shall apply to all lots within the commercial and industrial districts within the Town of Groton:

The applicant shall identify any hazardous materials and wastes to be associated with the proposed occupancy and use of the property. Hazardous

materials and wastes are included in the EPA's list of priority pollutants, Section 3001 of the Resource Conservation and Recovery Act, Connecticut Hazardous Waste Regulations, the Federal Hazardous Substance Act, the Toxic Substance Control Act, and other applicable regulations. If these materials or wastes are to be present, then the applicant shall present evidence that all applicable permits and approvals from Federal, State, or local authorities have been or are in the process of being obtained. The applicant shall demonstrate that the hazardous materials or wastes shall be contained or managed in such a manner that the substances will not specifically pollute or degrade natural resources or the surrounding environment significantly.

At a minimum, the following information shall be presented at the time of application:

- a) The amount and composition of any hazardous materials that will be handled, stored, generated, treated, or disposed of on the property.
- b) Provisions for treatment, storage, and/or disposal of any hazardous materials.
- c) Distance of nearest sensitive natural resource such as surface water bodies, wetlands, and aquifer areas.
- d) Expected types and amount of discharge to sewers, to the ground, and to surface water.
- e) Provisions for stormwater runoff controls which will minimize suspended solids.
- f) Location of loading and unloading docks.
- g) Provision for containment of any spills.

- h) Location and description of outside storage areas and types of materials to be stored.

D. Staging Plan

In cases where the applicant wishes to develop in stages, an overall site and staging plan indicating ultimate development shall be submitted.

E. Architectural Plans

For informational purposes only, the applicant shall submit preliminary architectural drawings showing all proposed buildings and structures, at a minimum scale of 1 inch equals 8 feet, illustrating all exterior wall elevations, indicating floor heights, fenestration, roof top mechanical equipment and building materials, and if applicable, building floor plan(s) indicating usage, circulation, and square footage.

F. Other Information

Any other information deemed by the Planning Commission to be necessary to determine conformity with the intent of these regulations.

8.4-5 Site Plan Objectives

In reviewing a site plan application, the Planning Commission shall take into consideration the public health, safety and welfare of the public in general and the immediate neighborhood in particular, and may prescribe reasonable conditions and safeguards to insure the accomplishment of the following general objectives.

A. Town Plan(s)

That the proposed site plan shall be in general conformance with the intent of the Town Plan of Conservation and Development of the Town of Groton; however, the Plan of Conservation and Development shall not take precedence over

specific provisions of the Zoning Regulations of the Town of Groton. (Eff: 5/1/03)

B. Public Safety

That all buildings, structures, uses, equipment, or material are readily accessible for fire and police protection.

C. Traffic Access

That all proposed traffic accessways do not create traffic hazards and are: adequate, but not excessive in number; adequate in width, grade, alignment, and visibility; adequate in distance from street corners, places of public assembly and other accessways; and adequate in design for other similar safety considerations.

D. Circulation and Parking

That adequate off-street parking and loading spaces are provided to prevent on-street traffic congestion; that all parking spaces, maneuvering areas, entrances, and exits are suitably identified; that the interior circulation system is adequately designed to provide safe and convenient access to all structures, uses, and/or parking spaces; that parking areas are provided with suitable bumper guards, guard rails, islands, crosswalks, speed bumps and similar safety devices when deemed necessary by the Commission to adequately protect life and property; and that provision is made for safe pedestrian movement within and adjacent to the property by the installation of sidewalks.

E. Landscaping and Screening

That the general landscaping of the site complies with the purpose and intent of Section 7.4 of these regulations; that existing trees are preserved to the maximum extent possible; and that parking and service areas are suitably screened during all seasons of the year from the view of adjacent residential districts, and public rights-of-way.

F. Lighting

That glare from the installation of outdoor lights and illuminated signs is properly shielded from the view of adjacent property and public rights-of-way.

G. Public Health

That all utility systems are suitably located, adequately designed, and properly installed to serve the proposed uses, to protect the property from adverse air, water, or land pollution, and to preserve and enhance the environmental quality of the surrounding neighborhood and that of the Town.

H. Environmental Features

That the development of the site will preserve sensitive environmental land features such as steep slopes, wetlands, and large rock outcroppings and preserve scenic views or historically significant features.

I. Neighborhood Character

That the location and size of any proposed use, building or structure, as well as the nature and intensity of operations involved in or conducted in connection therewith, will be in general harmony with the character of the surrounding neighborhood, and will not be hazardous or otherwise detrimental to the appropriate and orderly development or use of any adjacent land, building, or structure.

## 8.5 Zoning Board of Appeals

### 8.5-1 Members

In accordance with the provisions of the General Statutes of the State of Connecticut, the Zoning Board of Appeals shall consist of 5 electors who shall not be members of the Zoning Commission. They shall be appointed for terms of 5 years, so arranged that the term of not more than one member shall expire in any one year.

### 8.5-2 Officers

The Board of Appeals shall elect from its membership a chairman, vice-chairman and secretary, each to serve for a term of one year and subject to reelection. The chairman or, in his absence, the vice-chairman, shall have power to administer oaths and compel the attendance of witnesses.

### 8.5-3 Rules of Procedure

The Board shall adopt such rules, regulations and procedures as may be deemed necessary to carry into effect the provisions of these regulations. These shall include, among other things, regulations relating to notices for public hearings, fees to be charged for all applications filed with the Board, forms to be used in the submission of applications, times when hearings shall be held, procedures for the conduct of public hearings, regulations regarding notices for public hearings and the form of written report of findings of the Board.

### 8.5-4 Meetings

The Board shall meet at the call of the chairman and at such other times as the Board may determine. All meetings of the Board of Appeals shall be open to the public. Records of the Board may be examined in the offices of the Board at any reasonable time.

### 8.5-5 Minutes and Findings

The Board shall keep minutes of its proceedings, recording the action of the Board and the vote of each member upon each action or, if absent or failing to vote, indicating such fact. It shall also keep

records of its examinations and other official action, all of which shall be filed promptly in the office of the Board and shall be open to public examination. All findings and actions of the Board shall be in writing and shall set forth the reasons for the action taken, whether it be in favor of the granting of an application or petition or against the granting of such application or petition. Findings shall be complete, detailed, and in specific terms, setting forth the reasons for the decision, and shall go beyond such generalities as "in the interest of public health, safety and the general welfare...". In every instance, a statement of the hardship upon which such action is based shall appear in the minutes.

8.5-6 Assistance from Other Officials

The Board may call upon any other Town department or agency for assistance in the performance of its duties and it shall be the duty of such other departments or agencies to render such assistance to the Board as may be reasonably required.

8.5-7 Referrals (Eff: 9/1/89)

All proposed variances shall be referred to the Planning Commission at least ten days prior to the date assigned for a public hearing on that request. The Planning Commission or its staff may submit an advisory opinion on such referrals prior to the public hearing, and the findings of the Planning Commission or its staff shall be read into the record of the public hearing. The failure of the Planning Commission or its staff to submit a report to the Zoning Board of Appeals shall not prevent the Zoning Board of Appeals from reaching a decision on any matter before it.

8.5-8 Powers of the Board

The Zoning Board of Appeals shall have the following powers:

A. Appeals

To hear and decide appeals made by any person or persons severally or jointly aggrieved by any order, requirement, or decision of an administrative official in the enforcement of these regulations. The Board may reverse or affirm, wholly or

partly, or may modify the order, requirement or decision appealed from, and shall make such order, requirement or decision as in its opinion ought to be made in the premises, and shall have the powers of the officer from whose order, requirement, or decision the appeal was taken, provided the concurring vote of four members shall be necessary to reverse or modify the order, requirement, or decision appealed from. (Eff: 2/1/98)

B. VariANCES

Grant variances from the strict application of these regulations when, by reason of exceptional narrowness, shallowness, shape or substandard size of specific parcels of property, the strict application of these regulations or amendments thereto would result in unusual difficulty or unreasonable hardship upon the owner of said property; provided that such relief or variance can be granted without substantial impairment of the intent, purpose, and integrity of these regulations and of the Plan of Conservation and Development for the Town of Groton. (Eff: 5/1/03)

Before granting a variance on the basis of unusual difficulty or unreasonable hardship, there must be a finding by the Board of Appeals that all of the following conditions exist:

1. That if the owner complied with the provisions of these regulations, he would not be able to make any reasonable use of his property.
2. That the difficulties or hardship are peculiar to the property in question, in contrast with those of other properties in the same district.
3. That the hardship was not the result of the applicant's own action.
4. That the hardship is not merely financial or pecuniary.

The concurring vote of four members shall be necessary to vary the application of the Zoning Regulations. (Eff: 2/1/98)



C. Certificates of Approval of Location

Issue certificates of approval of location for dealers' and repairers' licenses as provided for by sections 14-51, 14-54, and 14-55 of the Connecticut General Statutes (CGS), and for gasoline and motor oil sales as provided for by CGS section 14-321. No such certificate shall be issued until the application has been approved and such location has been found suitable for the business intended, with due consideration to its location in reference to schools, churches, theaters, traffic conditions, width of highway, and effect on public travel. The concurring vote of three members shall be necessary to issue a certificate. (Eff: 1/1/02)

8.5-9 Applications

Every application for a variance, an interpretation of a ruling of the Zoning Official, or a certificate of approval of location shall be submitted to the Board of Appeals on a form established for that purpose and shall include such supporting information as is indicated on the form. (Eff: 1/1/02)

8.5-10 Hearings

The Board of Appeals shall hold a public hearing on all applications for an appeal and/or variance in accordance with the General Statutes of the State of Connecticut. At such hearing, any party may appear in person and may be represented by agent or attorney. Upon the filing of an application to reverse a decision of the Zoning Official or the filing of an application for a variance upon forms to be provided by the Board of Appeals, a date shall be set for a public hearing, and due notice thereof shall be given to the parties. Notice of the time and place of such hearing shall be published in a newspaper having substantial circulation in the Town of Groton in accordance with the General Statutes of the State of Connecticut. The applicant shall present proof to the Board prior to the start of the public hearing or at the start of a continued hearing, if continued for the purpose of receiving proof of the notice described herein, that notice has been deposited at least 10 days, but not more than 30 days in advance of the date of the advertised hearing in a Post Office regularly maintained by the U.S. Government, directed to each of

the current owners of lots located within 150 feet from the boundaries of the subject properties, as such owners and addresses appear on the CAMA database maintained by the Groton Assessor. (Eff: 12/1/93; Eff: 2/16/01)

Whenever the Zoning Board of Appeals has before it for consideration an application for a variance in the use of property, any portion of which lies within 500 feet of a contiguous municipality, such Board shall, at least one week prior to the hearing thereon, notify the Clerk of such municipality, in writing, of the fact of such application and of the date fixed by it for such hearing.

When considering an application for a certificate of approval of location, the Board shall provide notice of and conduct a hearing on the application in accordance with the General Statutes of the State of Connecticut. The Board may waive the required hearing in cases in which approval was previously granted for the location or where a previously approved location for a business is to be enlarged to include adjoining property. (New Eff: 1/1/02)

#### 8.5-11 Decision of the Board

The Board of Appeals shall render its decision on such an appeal within 65 days after the hearing.

The Board of Appeals may reverse or affirm, wholly or in part, or may modify the order, requirement, decision, or determination as in its opinion ought to be made in the premises, and to that end shall have all the powers of the officer from whom the appeal is taken.

Decisions of the Board shall take effect upon filing a copy thereof in the Office of the Town Clerk and in the Land Records. Any person who appeals to the Board shall be notified of the Board's decision on his appeal by certified mail within 15 days after such decision is rendered. Notice of the decision of the Board shall be published in a newspaper having a substantial circulation in the Town of Groton within 15 days after such decision has been rendered. (Eff: 12/1/93; Eff: 1/1/02)

8.6 Non-Conforming Uses, Buildings, and Lots

8.6-1 General Declaration

A non-conforming use, building, or lot shall be subject to the following regulations.

A. Continuance

Notwithstanding any other provision of these regulations, a non-conforming use, building, or lot, as defined herein, may be continued, except as otherwise specified in this section.

B. Ownership

Nothing in these regulations shall be deemed to require discontinuance of a non-conformity because of mere change of title or possession, or right of possession of property, except as otherwise provided herein.

C. Certificate of Zoning Compliance

No non-conforming use, building, or lot shall be constructed, reconstructed, enlarged, extended, altered, moved, changed, maintained, restored, or replaced unless a Certificate of Zoning Compliance has been issued by the Zoning Official, stating that such use, building, or lot is an existing legal non-conforming use, building, or lot and/or that such construction, reconstruction, enlargement, extension, alteration, movement, change, maintenance, restoration, or replacement is in compliance with the applicable provisions of these regulations.

D. Reversion

No non-conforming use, building, or lot shall, if once changed to a conforming use, building or lot, revert or change back again into a non-conforming use, building or lot.

8.6-2 Non-Conforming Uses

A. Enlargement, Extension, or Alteration

No non-conforming use of land shall be enlarged, extended, changed, or altered, and no structure or part thereof devoted to a non-conforming use shall be enlarged, extended, constructed, reconstructed, or structurally altered, except in changing the use to one which is permitted in the zoning district in which such use is located. No non-conforming use of a structure shall be extended to occupy land outside such structure or space in another structure.

B. Movement

No non-conforming use of land shall be moved to another part of a lot or outside the lot, and no non-conforming use of a structure shall be moved to any part of the structure not manifestly arranged and designed for such use at the time the use became non-conforming. No structure containing a non-conforming use shall be moved, unless the result of any such moving is to end the non-conforming use.

C. Abandonment

Any non-conforming use which has been abandoned shall not thereafter be reestablished. Any structure or land, or structure and land in combination which was formerly devoted to a non-conforming use which has been abandoned, shall not again be devoted to any use other than those uses which are allowable in the zoning district in which it is located.

The term abandonment, as used herein, shall mean the voluntary discontinuance of a use, when accompanied by an intent not to reestablish such use. Any one of the following shall constitute prima-facie evidence of intent-to-abandon:

1. Any failure to take all necessary steps to resume the non-conforming use with reasonable dispatch in the circumstances, including advertising of the property for sale or for lease; OR

2. In the case of a non-conforming use of a structure or of a structure and land in combination, discontinuance of the non-conforming use for 6 consecutive months, or for a total of 18 months during any three-year period; OR
3. In the case of land only, discontinuance of the non-conforming use for 30 consecutive days, or for a total of 3 months, during a one-year period.

#### 8.6-3 Change in Use

The Zoning Commission, by special permit, may allow a change from one non-conforming use to another non-conforming use if the proposed use is similar to the existing use, and will have less of an impact upon the surrounding area than the existing use, and the required parking and loading spaces will not increase.

#### 8.6-4 Non-Conforming Buildings

##### A. Enlargement, Extension, or Alteration

No non-conforming building or structure may be enlarged, extended, or altered if such enlargement, extension, or alteration increases the degree to which the building or structure does not conform to any particular requirement of the zoning regulations. This in no way allows new construction to conform to existing non-conformities.

##### B. Restoration

If any structure shall be destroyed by any means to an extent of more than 50% of the fair market value of the structure, excluding the foundation, as determined by the Zoning Official, no repairs or reconstruction shall be made unless every portion of such structure and the use thereof is made to conform to all the regulations of the district, except as stated herein. Nothing in these regulations shall be deemed to prohibit the restoration of any structure and its use where such structure has been destroyed by any means out of the

control of the owner to an extent of 50% or less of the fair market value of the structure, provided that the restoration of such structure and its use shall in no way increase any former non-conformity, and further provided that the restoration of such structure is started within six months of such destruction and is completed within two years following such destruction.

C. Maintenance

Nothing in these regulations shall be deemed to prohibit any work required by the codes and ordinances of the Town or ordered by any Town official charged with protecting the public health, safety, or welfare, if such work does not enlarge or extend a non-conforming use or otherwise increase any non-conformity, in order to assure that structures will be maintained in a safe and sanitary condition.

D. Construction in Progress

Nothing in these regulations shall require any change in the plans, construction, or designated use of any building or part thereof, as approved in a Building and Zoning Permit, the construction of which shall be lawfully in progress at the time of promulgation of these regulations, provided such construction shall be completed within one year of the date of these regulations.

8.6-5 Non-Conforming Lots

A permit may be issued for a permitted use on a lot which does not meet the standards for lot area and/or width of the particular district in which the lot is located, if:

- A. The lot was of legal size on the date it was created as a lot.
- B. The owner of such lot owns no adjacent land available for combination with the lot to decrease or eliminate the non-conformity.
- C. The present owner or any prior owner did not illegally create this non-conforming lot.

- D. All yard, coverage, and other zoning requirements can be met; however, in those instances where the lot area or shape prevent conformance with one or more yard requirements, the requirement for that yard shall be the same as the most restrictive district to which the lot area most nearly conforms.
- E. The owner or his agent presents satisfactory evidence of compliance with this section.

## SECTION 9

### SEPARABILITY, REPEALER, AND VALIDITY

#### 9.1 Separability

It is hereby declared to be the Legislative intent that:

9.1-1 If a court of competent jurisdiction finds any provisions of these regulations to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to those provisions which are expressly stated in the decision to be invalid or ineffective, and all other provisions of these regulations shall continue to be separately and fully effective.

9.1-2 If a court of competent jurisdiction finds the application of any provision or provisions of these regulations to any zoning lot, building, or structure to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to the person, property, or situation immediately involved in the controversy, and the application of any such provision to other person, property, or situations shall not be affected.

9.1-3 While any provision or provisions of these regulations or application of any provision or provisions of these regulations to any zoning lot, building, or structure is before a court of competent jurisdiction, all other provisions of these regulations and all other applications of the provisions of these regulations to other zoning lots, buildings, or structures shall continue to be separately and fully effective.

#### 9.2 Repealer

The provisions of the zoning regulations of the Town of Groton, as adopted June 21, 1957 and subsequently amended, are repealed as of the effective date of these zoning regulations, except that all terms and conditions attached to special exceptions, site plans, and variances shall remain in effect.

#### 9.3 Effective Date

The effective date of these regulations shall be November 2, 1987.

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