Town of Watertown, CT

Zoning Regulations

Planning and Zoning Commission

Effective October 19, 2026
Last Revised October 7, 2026

Welcome to Watertown!

Quick Start Guide

From the Zoning Map, identify the zoning district for the property you are interested in. The Zoning Map is available on-line at:

https://www.watertownct.org/Departments/Planning%20&%20Zoning/Regulations%20&%20Plan/Zoning%20Map.pdf

Then, go the section of the Zoning Regulations related to that district to learn about applicable provisions:

- **Section 1 = Residential Districts**
- **Section 2 = Business Districts**
- **Section 3 = Industrial Districts**
- **Section 4 = Special Districts**

The Regulations are constructed so that, if something is not clearly permitted, it is prohibited. Check with the Administrator of Land Use and Building Services or the Zoning Enforcement Officer if you have questions.

From there, you may seek additional relevant information in:

- **Section 5 – Use-Related Standards = More detailed provisions specific to certain uses.**
- **Section 6 – Basic Standards = Basic standards related to the use and development of property**
- **Section 7 – Special Standards = Standards related to special situations, uses, or activities**

Section 8 – Procedures describes the process involved in obtaining any permissions or permits required.

A	**1. Allowed = No zoning approvals are required (although other approvals may be required).**
ZP	**2. Zoning Permit = You will need to apply for a Zoning Permit from the Land Use Department and this procedure is administered by Staff. A plot plan may be required.**
S	**3. Site Plan Application = This is an approval obtained from the Planning and Zoning Commission. A detailed plan map is generally required to demonstrate compliance with these Regulations.**
SP	**4. Special Permit Application = This approval from the Planning and Zoning Commission is based on the applicant demonstrating that "Special Permit criteria" in Section 8.4.E of the Regulations have been addressed. Depending on the type / scope of the application, a comprehensive Site Plan (see #3 above) or a simple plot plan may be required.**
SR	**5. Summary Review = This is an administrative approval issued by the Zoning Enforcement Officer, without a public hearing, for transit community middle housing and mixed-use middle housing developments (2 to 9 dwelling units) in the Business Districts that meet the objective standards in Section 5.28.**

Section 8 also describes the process for a Regulation Amendment (zoning text change), a Zone Change (zoning map change), or a Variance application.

Section 9 covers the overall regulatory framework.

Section 10 contains a glossary of terms used in the regulations as well as an overview of key regulation concepts.

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Appendix A - Application Of Coverage / Setbacks

Appendix B – Flood Plain Regulations

Zoning Originally Adopted in Watertown And Effective As Of

May 1, 1955

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SECTION 1 RESIDENTIAL DISTRICTS

QUICK LINKS

1.1 Purposes
1.2 Principal Uses And Structures
1.3 Accessory Uses And Structures
1.4 Area & Dimensional Standards
1.5 Special Provisions

1.1. Purposes

A. R-90 Residential District

The R-90 Residential District is established to provide suitable areas for low density residential development consistent with a rural environment in areas with sensitive environmental characteristics and/or without public facilities to support more intensive development.

B. R-70 Residential District

The R-70 Residential District is established to provide suitable areas for low density residential development consistent with a rural environment in areas with limited public facilities and/or environmental constraints which would limit more intensive development.

C. R-30 Residential District

The R-30 Residential District is established to provide suitable areas for medium density residential development consistent with a suburban environment, in areas with no significant environmental constraints to development and with public facilities adequate to support the intensity of development.

Low Density

Medium Density

D. R-20 Residential District

The R-20 District is established to provide suitable areas for medium density residential development consistent with a suburban environment, in areas with no significant environmental constraints to development and with public facilities adequate to support the intensity of development.

E. R- 12.5 Residential District

The R-12.5 Residential District is established to provide suitable areas for more intensive single family residential development and related uses consistent with a suburban environment, in areas with no significant environmental constraints to development and a full range of public facilities to support development.

F. R-10 Residential District

The R-10 District is established to provide suitable areas for more intensive single family residential development and related use consistent with a suburban environment, in areas with no significant environmental constraints to development and a full range of public facilities to support development.

G. R-G Residential District

The R-G Residential District is established to provide suitable areas for high density residential development consistent with a suburban environment, in areas with no significant environmental constraints to development and a full range of public facilities to support development.

Higher Density

Multi-Family Development

START
1. RESIDENTIAL DISTRICTS
2. BUSINESS DISTRICTS
3. INDUSTRIAL DISTRICTS
4. SPECIAL DISTRICTS
5. USE-RELATED-STANDARDS
6. BASIC STANDARDS
7. SPECIAL STANDARDS
8. PROCEDURES
9. REGULATORY FRAMEWORK
10. WORDS AND TERMS

1.2. Principal Uses and Structures

All uses shall be subject to specified restrictions, use and special use standards, and general performance standards of these Regulations.

A.	BASIC RESIDENTIAL USES / STRUCTURES	R-90	R-70	R-30	R-20	R-12.5	R-10	R-G
1.	Single-family detached dwelling	ZP	ZP	ZP	ZP	ZP	ZP	ZP
2.	Two family dwelling with public water and public sewer (larger lot may be required – see Section 1.4)	x	x	SP	ZP	ZP	ZP	ZP
3.	Three family dwelling with public water and public sewer (larger lot may be required – see Section 1.4)	x	x	x	SP	ZP	ZP	ZP
4.	Interior lot subject to the provisions of Section 1.5.A	ZP	ZP	x	x	x	x	x

B.	SPECIAL RESIDENTIAL USES / STRUCTURES	R-90	R-70	R-30	R-20	R-12.5	R-10	R-G
1.	Multi-family dwellings subject to the provisions and standards in Section 5.5	x	x	x	SP	SP	SP	SP
2.	Designed Residential Developments subject to a zone change (Section 8.6) to DRD District and conformance with the provisions and standards of Section 4.5.	x	x	ZC SP	ZC SP	ZC SP	ZC SP	ZC SP
3.	Age-restricted housing (ARH) developments subject to a zone change (Section 8.6) to an ARH Overlay Zone and conformance with the provisions and standards of Section 4.3.	ZC SP	ZC SP	ZC SP	ZC SP	ZC SP	ZC SP	ZC SP
4.	Congregate housing subject to the provisions and standards of Section 5.17.	x	x	x	x	SP	x	x
5.	Planned Residential Developments subject to the provisions and standards of Section 5.4.	SP	SP	SP	SP	SP	SP	SP
6.	Senior home subject to the provisions and standards of Section 5.23	SP	SP	SP	SP	SP	SP	SP

A	ZP	S	SP	ZC	SR	x
Allowed	**Zoning Permit**	**Site Plan**	**Special Permit**	**Zone Change**	**Summary Review**	**Not Permitted**
No Zoning Permit Required	Staff	PZC	PZC with Public Hearing	PZC with Public Hearing	ZEO – No Public Hearing	
	Section 8.1.A	Section 8.3	Section 8.4	Section 8.6	Section 8.1.E	

C.	AGRICULTURAL USES / STRUCTURES	R-90	R-70	R-30	R-20	R-12.5	R-10	R-G
1.	Farms and farming including truck gardens, nurseries.	A	A	A	A	A	A	A
2.	Farm winery / brewery accessory to a farm growing ingredients (see Section 1.3.E for events accessory to the farm winery / brewery use).	ZP	ZP	ZP	ZP	ZP	ZP	ZP
3.	Farming-related structures including greenhouses, silos, barns, and roadside stands accessory to farms.	ZP	ZP	ZP	ZP	ZP	ZP	ZP

D.	OPEN SPACE / RECREATION USES / STRUCTURES	R-90	R-70	R-30	R-20	R-12.5	R-10	R-G
1.	Parks and open space	A	A	A	A	A	A	A
2.	Private or not-for-profit outdoor recreational facilities such as golf, tennis, swimming, or similar clubs but not including golf driving ranges, miniature golf, or commercial amusement parks and including customary accessory services and eating facilities incidental to the club.	SP	SP	SP	SP	SP	SP	SP
3.	Summer day camp provided that there is no overnight lodging	SP	SP	SP	SP	SP	SP	SP

E.	INSTITUTIONAL USES / STRUCTURES	R-90	R-70	R-30	R-20	R-12.5	R-10	R-G
1.	Buildings, uses, and facilities of the Town, State, or Federal Government, or the Watertown Fire District.	SP	SP	SP	SP	SP	SP	SP
2.	Convalariums, convalescent homes, private hospitals, and sanitaria licensed by the by the State of Connecticut and located on a minimum of five acres.	SP	SP	SP	SP	SP	SP	SP
3.	Non-profit institution	SP	SP	SP	SP	SP	SP	SP
4.	Places of worship	SP	SP	SP	SP	SP	SP	SP

A	ZP	S	SP	ZC	SR	x
Allowed	Zoning Permit	Site Plan	Special Permit	Zone Change	Summary Review	Not Permitted
No Zoning Permit Required	Staff	PZC	PZC with Public Hearing	PZC with Public Hearing	ZEO – No Public Hearing	
	Section 8.1.A	Section 8.3	Section 8.4	Section 8.6	Section 8.1.E	

F.	BUSINESS-RELATED USES / STRUCTURES	R-90	R-70	R-30	R-20	R-12.5	R-10	R-G
1.	Child care center subject to the provisions of Section 5.6.	SP	SP	SP	SP	SP	SP	SP
2.	Adult day care center subject to the provisions of Section 5.24.	SP	SP	SP	SP	SP	SP	SP
3.	Commercial kennels.	SP	SP	SP	SP	SP	SP	SP
4.	Livery or boarding stables, or riding academies subject to the provisions of Section 5.20.	SP	SP	SP	SP	SP	SP	SP
5.	Conversion of existing buildings to limited professional office subject to the provisions of Section 5.13.	x	SP	x	x	x	x	x
6.	Uses permitted in a Residential Transition / Professional Office Overlay District subject to the provisions of Section 4.4.	x	x	ZC See Section 4.4	x	ZC See Section 4.4	x	x
7.	Commercial nursery / greenhouse subject to the provisions of Section 5.25.	SP	SP	SP	SP	SP	SP	SP

G.	OTHER USES / STRUCTURES	R-90	R-70	R-30	R-20	R-12.5	R-10	R-G
1.	Temporary special event subject to Section 8.1.A.4	ZP	ZP	ZP	ZP	ZP	ZP	ZP
2.	Public utility buildings, uses, and facilities	SP	SP	SP	SP	SP	SP	SP
3.	Railroad rights-of-way and passenger station including customary accessory services therein but not including switching, storage sidings, freight yards, or freight terminals.	SP	SP	SP	SP	SP	SP	SP
4.	Telecommunications facilities subject to the provisions and standards of Section 5.15	SP	SP	SP	SP	SP	SP	SP

A	ZP	S	SP	ZC	SR	x
Allowed	Zoning Permit	Site Plan	Special Permit	Zone Change	Summary Review	Not Permitted
No Zoning Permit Required	Staff	PZC	PZC with Public Hearing	PZC with Public Hearing	ZEO – No Public Hearing	
	Section 8.1.A	Section 8.3	Section 8.4	Section 8.6	Section 8.1.E	

1.3. Accessory Uses and Structures

A. GENERAL ACCESSORY	R-90	R-70	R-30	R-20	R-12.5	R-10	R-G
1. Unless otherwise listed, accessory *uses* customary with and incidental to any allowed use or use allowed by Zoning Permit.	A	A	A	A	A	A	A
2. Accessory uses and structures customary with and incidental to any Site Plan use.	S	S	S	S	S	S	S
3. Accessory uses and structures customary with and incidental to any Special Permit use.	SP	SP	SP	SP	SP	SP	SP
4. Minor accessory *structures* including but not necessarily limited to private garages, sheds, garden houses, tool houses, playhouses, greenhouses, swimming pools, or other detached accessory structures not used for human habitation or for housing animals or fowl, and not operated for profit.	ZP Subject to ZEO Review	ZP Subject to ZEO Review	ZP Subject to ZEO Review	ZP Subject to ZEO Review	ZP Subject to ZEO Review	ZP Subject to ZEO Review	ZP Subject to ZEO Review

B. RESIDENTIAL-RELATED ACCESSORY	R-90	R-70	R-30	R-20	R-12.5	R-10	R-G
1. Within an owner-occupied principal dwelling, renting of rooms without individual cooking facilities	A	A	A	A	A	A	A
2. Accessory dwelling unit (within or attached to the principal dwelling) subject to the provisions and standards of Section 5.3	ZP	ZP	ZP	ZP	ZP	ZP	ZP
3. Accessory dwelling unit (detached from the principal dwelling) subject to the provisions and standards of Section 5.3	ZP	ZP	ZP	ZP	ZP	ZP	ZP

A	ZP	S	SP	ZC	SR	x
Allowed	**Zoning Permit**	**Site Plan**	**Special Permit**	**Zone Change**	**Summary Review**	**Not Permitted**
No Zoning Permit Required	Staff	PZC	PZC with Public Hearing	PZC with Public Hearing	ZEO – No Public Hearing	
	Section 8.1.A	Section 8.3	Section 8.4	Section 8.6	Section 8.1.E	

C.	BUSINESS-RELATED ACCESSORY	R-90	R-70	R-30	R-20	R-12.5	R-10	R-G
1.	Home occupations or home offices in accordance with the provisions and standards of Section 5.2.	A	A	A	A	A	A	A
2.	Family child care home as per Section 5.6	A	A	A	A	A	A	A
3.	Group child care home as per Section 5.6.	A	A	A	A	A	A	A
4.	Cottage Food Operation licensed by the Commissioner of Consumer Protection per CGS Section 21a-62a.	A	A	A	A	A	A	A
5.	Bed and breakfast accommodations subject to the provisions and standards of Section 5.19.	ZP	ZP	ZP	ZP	ZP	ZP	ZP
6.	Adult day care home subject to the provisions and standards of Section 5.24.	SP	SP	SP	SP	SP	SP	SP

D.	VEHICLE PARKING / STORAGE ACCESSORY	R-90	R-70	R-30	R-20	R-12.5	R-10	R-G
1.	Parking for the use of the occupants of the premises and their guests, in accordance with Section 6.2.	A	A	A	A	A	A	A
2.	Parking of a commercial vehicle in accordance with Section 5.1.	See Section 5.1	See Section 5.1	See Section 5.1	See Section 5.1	See Section 5.1	See Section 5.1	See Section 5.1
3.	Storage of a trailer, recreational vehicle, mobile home, boat, unregistered vehicle, or other vehicle in accordance with Section 5.1.	See Section 5.1	See Section 5.1	See Section 5.1	See Section 5.1	See Section 5.1	See Section 5.1	See Section 5.1
4.	Indoor storage within an enclosed building of a commercial vehicle, trailer, recreational vehicle, mobile home, boat, or unregistered vehicle.	A	A	A	A	A	A	A

A	ZP	S	SP	ZC	SR	x
Allowed	Zoning Permit	Site Plan	Special Permit	Zone Change	Summary Review	Not Permitted
No Zoning Permit Required	Staff	PZC	PZC with Public Hearing	PZC with Public Hearing	ZEO – No Public Hearing	
	Section 8.1.A	Section 8.3	Section 8.4	Section 8.6	Section 8.1.E	

E.	FARM-RELATED ACCESSORY	R-90	R-70	R-30	R-20	R-12.5	R-10	R-G
1.	Keeping of livestock and/or poultry on a farm in accordance with generally accepted agricultural practices.	A	A	A	A	A	A	A
2.	Roadside farm stands subject to the provisions and standards of Section 5.22	ZP	ZP	ZP	ZP	ZP	ZP	ZP
3.	Permanent farm stores subject to the provisions and standards of Section 5.22	S	S	S	S	S	S	S
4.	Weddings or private party events accessory to a farm winery / brewery with less than 300 people	A	A	A	A	A	A	A
5.	Weddings or private party events accessory to a farm winery / brewery with 300 people or more	SP	SP	x	x	x	x	x

F.	ANIMAL-RELATED ACCESSORY	R-90	R-70	R-30	R-20	R-12.5	R-10	R-G
1.	The keeping of up to six adult dogs, cats, and other pets which are kept as companions and normally housed together with human occupants. (hobby kennel)	A	A	A	A	A	A	A
2.	The keeping of more than six adult dogs, cats, and other pets.	SP	SP	SP	SP	SP	SP	SP
3.	The keeping of chickens, horses, and/or livestock in accordance with Section 5.20.	A	A	A	A	A	A	A
4.	Accessory buildings for housing chickens, horses, and/or livestock, in accordance with Section 5.20.	ZP	ZP	ZP	ZP	ZP	ZP	ZP

G.	RECREATION-RELATED ACCESSORY	R-90	R-70	R-30	R-20	R-12.5	R-10	R-G
1.	Recreational facilities accessory to a development of multi-family dwellings for the use of residents and their non-paying guests	x	x	x	x	x	x	S

A	ZP	S	SP	ZC	SR	x
Allowed	Zoning Permit	Site Plan	Special Permit	Zone Change	Summary Review	Not Permitted
No Zoning Permit Required	Staff	PZC	PZC with Public Hearing	PZC with Public Hearing	ZEO – No Public Hearing	
	Section 8.1.A	Section 8.3	Section 8.4	Section 8.6	Section 8.1.E	

H.	OTHER ACCESSORY	R-90	R-70	R-30	R-20	R-12.5	R-10	R-G
1.	Tag sales conducted no more than three times per calendar year with no more than three continuous days for each sale.	A	A	A	A	A	A	A
2.	Radio and television reception equipment, including satellite dishes.	A	A	A	A	A	A	A
3.	Food trucks in accordance with Section 5.18.	ZP	ZP	ZP	ZP	ZP	ZP	ZP
4.	Temporary healthcare structure accessory to a single-family detached dwelling in accordance with CGS Section 8-1bb.	ZP	ZP	ZP	ZP	ZP	ZP	ZP
5.	Roof-mounted solar panels not exceeding building height limits	ZP	ZP	ZP	ZP	ZP	ZP	ZP
6.	Ground-mounted solar panels not exceeding building coverage limits	ZP	ZP	ZP	ZP	ZP	ZP	ZP
7.	Signs, subject to the provisions and standards of Section 6.1	See Section 6.1	See Section 6.1	See Section 6.1	See Section 6.1	See Section 6.1	See Section 6.1	See Section 6.1
8.	Wind turbines subject to the provisions and standards of Section 5.16.	SP	SP	SP	SP	SP	SP	SP
9.	Such other uses or structures customary with or incidental to uses and structures permitted in the subject District, as determined by the ZEO.	See ZEO	See ZEO	See ZEO	See ZEO	See ZEO	See ZEO	See ZEO

A	ZP	S	SP	ZC	SR	x
Allowed	Zoning Permit	Site Plan	Special Permit	Zone Change	Summary Review	Not Permitted
No Zoning Permit Required	Staff	PZC	PZC with Public Hearing	PZC with Public Hearing	ZEO – No Public Hearing	
	Section 8.1.A	Section 8.3	Section 8.4	Section 8.6	Section 8.1.E	

1.4. Area And Dimensional Standards

See Section 9.3 For How Area And Dimensional Standards May Be Applied

A. LOT AREA REQUIREMENTS	R-90	R-70	R-30	R-20
1. Minimum Lot Area (SF) – Single-Family Dwelling (additional area not required for an accessory dwelling unit)				
• With Municipal Water	90,000	70,000	30,000	20,000
• Without Municipal Water	90,000	70,000	40,000	40,000
2. Minimum Lot Area (SF) *Per Unit* For 2FD or 3FD (Where permitted; see District specific uses and requirements)				
• With Municipal Water	n/a	n/a	15,000	10,000
• Without Municipal Water	n/a	n/a	15,000	10,000
B. LOT DIMENSION REQUIREMENTS				
1. Minimum Lot Frontage (feet)	150’	125’	75’	75’
2. Minimum Square				
• With Municipal Water	200’	150’	100’	100’
• Without Municipal Water	200’	150’	150’	150’
C. MINIMUM BUILDING/STRUCTURE SETBACKS				
1. Principal Building And Oversize Accessory Structure				
• Front	50’	50’	35’	25’
• Rear	50’	50’	50’	50’
• Each Side	25’	25’	20’	15’
2. Minor Accessory Structure				
• Front	50’	50’	35’	35’
• Rear	20’	20’	15’	10’
• Each Side	20’	20’	15’	10’
3. Allowable Projection (see Section 7.1.B)	2’	2’	2’	2’
D. COVERAGE				
1. Maximum Building Coverage	10%	15%	15%	15%
2. Maximum Impervious Surface Coverage	20%	25%	25%	25%
E. MAXIMUM HEIGHT				
1. Principal Building				
• Stories	3	3	3	3
• Feet	35’	35’	35’	35’
2. Accessory Structure				
• Feet	20’	20’	20’	20’

(requirements for other residential districts on following page)

(requirements for other residential districts on preceding page)

See Section 9.3 For How Area And Dimensional Standards May Be Applied

A. LOT AREA REQUIREMENTS	R-12.5	R-10	R-G
1. Minimum Lot Area (SF) – Single-Family Dwelling (additional area not required for an accessory dwelling unit)			
• With Municipal Water	12,500	10,000	7,500
• Without Municipal Water	40,000	40,000	7,500
2. Minimum Lot Area (SF) *Per Unit* For 2FD or 3FD (Where permitted; see District specific uses and requirements)			
• With Municipal Water	5,000	5,000	5,000
• Without Municipal Water	5,000	5,000	5,000
B. LOT DIMENSION REQUIREMENTS			
1. Minimum Lot Frontage (feet)	75' **	50'	50'
2. Minimum Square			
• With Municipal Water	75'	75'	75'
• Without Municipal Water	150'	150'	75'
C. MINIMUM BUILDING/STRUCTURE SETBACKS			
1. Principal Building And Oversize Accessory Structure			
• Front	35'	25'	25'
• Rear	30'	30'	30'
• Each Side	10'	10'	10'
2. Minor Accessory Structure			
• Front	35'	35'	25'
• Rear	5'	5'	5'
• Each Side	5'	5'	5'
3. Allowable Projection (Section 7.1.B)	2'	2'	2'
D. COVERAGE			
1. Maximum Building Coverage	25%	25%	40%
2. Maximum Impervious Surface Coverage	35%	45%	60%
E. MAXIMUM HEIGHT			
1. Principal Building			
• Stories	3	3	3
• Feet	35'	35'	35'
2. Accessory Structure			
• Feet	20'	20'	20'

** In the R-12.5 zone, the minimum frontage for lots on a cul-de-sac street shall be 50'

1.5. Special Provisions

A. Interior Lots

1. **Interior Lots** - Interior lots shall be permitted in the R-70 and R-90 Residential Districts subject to the following conditions.
   a. Each interior lot shall comply with all applicable lot and building requirements for the Zoning District in which it is located, except (1) each interior lot shall contain a minimum lot area 50% greater than that required for the Zoning District in which it is located; and (2) each interior lot shall have a required front yard setback line 50% farther back than that required for the Zoning District in which it is located measured from the lot line to which the accessway leads to the nearest facing wall of the principal building.
   b. Each interior lot shall have an accessway which has a continuous width of at least 30 feet, which is owned in fee simple by the owner of the interior lot and which has frontage on an existing street.
   c. All accessways shall be capable of providing physical access to the area of the lot on which the dwelling is to be constructed, with no physical limitations such as wetlands or steep slopes or other environmental constraints which would prevent the construction of a driveway of suitable width and grade.
   d. There shall be no other accessway to an interior lot within 1,000 feet on the same side of the street when measured along the street line.
   e. The area of the accessway shall not be calculated as part of the minimum required area of the interior lot.

SECTION 2 BUSINESS DISTRICTS

QUICK LINKS

2.1 Purposes
2.2 Principal Uses And Structures
2.3 Accessory Uses And Structures
2.4 Area & Dimensional Standards
2.5 Special Provisions

2.1. Purposes

A. Downtown Central Business (B-D) District

The purpose of the B-D District (formerly B-CF District) is to encourage the orderly development of a shopping area for the Town which provides the opportunity for creative and flexible architectural design, the sound interrelationship of buildings to open spaces, pedestrian and vehicular circulation, landscaping, parking areas and business uses and to carry out the recommendations and proposals for circulation and use contained in the duly adopted plans and policies of the Commission.

B. Oakville Central Business (B-C) District

The purpose of the B-C District is to encourage the orderly development of a shopping area for the Town which provides the opportunity for creative and flexible architectural design, the sound interrelationship of buildings to open spaces, pedestrian and vehicular circulation, landscaping, parking areas, and business uses and to carry out the recommendations and proposals for circulation and use contained in the duly adopted plans and policies of the Commission.

C. Shopping Center Business (B-SC) District

The purpose of the B-SC District is to accommodate unified development of planned commercial facilities to serve a local and regional market.

Downtown Central Business

Oakville Central Business

D. General Business Districts (B-G1 and B-G2)

The purpose of the General Business Districts (B-G1 and B-G2) is to accommodate retail and service establishments primarily serving the needs of the entire Town and neighboring communities.

E. Local Business (B-L) District

The purpose of the B-L District is to accommodate retail stores and service establishments primarily serving the neighborhood needs of Town residents.

F. Medical and General Business (B-MG) District

The purpose of the B-MG District is to accommodate outpatient medical offices, general offices, professional offices, financial institutions, restaurants, and retail stores and service establishments for mostly medical purposes; serving the needs of the entire Town and neighboring communities.

G. Office Business (B-O) District

The purpose of the B-O District is to:

- Promote a transition between Main Street commercial and residential districts by allowing low intensity commercial, public, and professional office uses.
- Provide for standards that complement core village areas characterized by historic features such as public buildings, notable architecture, places of worship, greens, and monuments.
- Promote the goals and objectives of the Watertown Plan of Conservation and Development (POCD) including the design guidelines for downtown core areas and “Downtown Watertown Design Elements”.

General Business

Local Business

START
1. RESIDENTIAL DISTRICTS
2. BUSINESS DISTRICTS
3. INDUSTRIAL DISTRICTS
4. SPECIAL DISTRICTS
5. USE-RELATED-STANDARDS
6. BASIC STANDARDS
7. SPECIAL STANDARDS
8. PROCEDURES
9. REGULATORY FRAMEWORK
10. WORDS AND TERMS

2.2. Principal Uses and Structures

All uses shall be subject to specified restrictions, use and special use standards, and general performance standards of these Regulations.

See Section 2.5 for possible zone-specific limitations or provisions.

A. RETAIL-RELATED	B-D	B-C	B-SC	B-G1	B-G2	B-L	B-MG	B-O
1. Stores or shops for the conduct of retail business. (See Section 5.7 if GFA > 20,000 SF)	S	S	S	S	S	S	SP	SP
2. Retail sales of home building and maintenance materials.	x	x	x	S	x	x	x	x
3. Nurseries or garden supply stores.	x	x	x	S	x	x	x	x
4. Conversion of existing industrial buildings to retail use in accordance with Section 5.14.	x	x	x	SP	x	x	x	x

B. OFFICE-RELATED	B-D	B-C	B-SC	B-G1	B-G2	B-L	B-MG	B-O
1. General, medical, and/or professional offices.	S	x	SP	S	S	x	S	SP
2. General, medical, and/or professional offices limited to areas above the first level of the building.	x	S	x	x	x	x	x	x
3. Medical rehabilitation facilities, outpatient and not overnight.	x	x	x	x	x	x	S	x
4. Bank / financial institution without a drive-through window or drive-up ATM.	S	S	S	S	S	S	S	SP
5. Bank / financial institution with a drive-through window or drive-up ATM.	x	x	SP	SP	SP	SP	SP	x
6. Conversion of existing industrial buildings to offices and/or other uses in accordance with Section 5.14.	x	x	x	SP	x	x	x	x

A	ZP	S	SP	ZC	SR	x
Allowed	**Zoning Permit**	**Site Plan**	**Special Permit**	**Zone Change**	**Summary Review**	**Not Permitted**
No Zoning Permit Required	Staff	PZC	PZC with Public Hearing	PZC with Public Hearing	ZEO – No Public Hearing	
	Section 8.1.A	Section 8.3	Section 8.4	Section 8.6	Section 8.1.E	

C. SERVICE-RELATED	B-D	B-C	B-SC	B-G1	B-G2	B-L	B-MG	B-O
1. Stores or shops for the conduct of personal service businesses.	S	S	S	S	S	S	SP	SP
2. Stores / shops for the conduct of personal service business primarily for medical purposes, as determined by the Commission.	x	x	x	x	x	x	S	x
3. Child care center, subject to the provisions of Section 5.6.	S	x	SP	x	S	SP	SP	SP
4. Adult day care center subject to the provisions of Section 5.25.	x	x	x	SP	x	x	SP	SP
5. Medical transportation.	x	x	x	x	x	x	SP	x
6. Veterinary hospitals which may include general boarding of animals.	SP	x	x	SP	S	x	x	x
7. Veterinary hospital without general boarding of animals.	x	x	x	x	x	x	SP	x
8. Funeral homes	x	x	x	S	S	x	x	SP
9. Equipment rental or leasing services, excluding motor vehicles.	x	x	x	S	x	x	x	x
10. Retail dry cleaner (pickup/drop-off only)	S	S	S	S	S	S	x	x
11. Retail dry cleaners which include on-site dry cleaning.	SP	SP	SP	SP	SP	SP	x	x
12. Retail and/or self-service laundry establishments	S	S	S	S	S	S	x	x
13. Cleaning service businesses.	S	x	x	x	S	x	x	x
14. Cleaning service businesses provided: • Service is conducted off site • No outdoor storage and • No retail use.	x	x	x	SP	x	SP	x	x

A	ZP	S	SP	ZC	SR	x
Allowed	**Zoning Permit**	**Site Plan**	**Special Permit**	**Zone Change**	**Summary Review**	**Not Permitted**
No Zoning Permit Required	Staff	PZC	PZC with Public Hearing	PZC with Public Hearing	ZEO – No Public Hearing	
	Section 8.1.A	Section 8.3	Section 8.4	Section 8.6	Section 8.1.E	

D.	HOSPITALITY-RELATED	B-D	B-C	B-SC	B-G1	B-G2	B-L	B-MG	B-O
1.	Hotels and motels.	S	x	SP	S	S	x	SP	SP
2.	Bed and breakfast accommodations subject to the provisions and standards of Section 5.19.	x	x	x	x	x	SP	x	SP
3.	Sit-down restaurants *without* drive-through facilities (may include take-out food and/or curbside service)	S	S	S	S	S	SP	S	SP
4.	Fast-food restaurants *without* drive-through facilities.	x	SP	S	S	S	SP	x	x
5.	Fast-food restaurants *with* drive-through facilities with a minimum patron floor area of 750 sq. ft..	x	x	SP	SP	x	x	x	x
6.	Other food and beverage service establishments *without* drive-through facilities.	S	x	x	x	S	x	x	x

E.	RESIDENTIAL-RELATED	B-D	B-C	B-SC	B-G1	B-G2	B-L	B-MG	B-O
1.	Single detached dwelling for one (1) family and not more than one (1) such dwelling per lot.	x	x	x	x	x	x	x	S
2.	A dwelling containing two (2) dwelling units.	x	x	x	x	x	x	x	S
3.	Dwelling unit(s) located over street level stores, offices, or restaurant.	SP	SP	x	SP	SP	SP	SP	S
4.	Conversion of existing industrial buildings to residential use in accordance with Section 5.14.	SP	SP	SP	SP	SP	SP	x	x
5.	Reuse of Existing Office Building for up to 10 residential units.								S
6.	Transit community middle housing development, subject to the provisions and standards of Section 5.28.	SR	SR	SR	SR	SR	SR	SR	SR
7.	Mixed-use middle housing development, as defined in Section 10.4, subject to the provisions and standards of Section 5.28.	SR	SR	SR	SR	SR	SR	SR	SR

A	ZP	S	SP	ZC	SR	x
Allowed	Zoning Permit	Site Plan	Special Permit	Zone Change	Summary Review	Not Permitted
No Zoning Permit Required	Staff	PZC	PZC with Public Hearing	PZC with Public Hearing	ZEO – No Public Hearing	
	Section 8.1.A	Section 8.3	Section 8.4	Section 8.6	Section 8.1.E	

F.	RECREATION-RELATED	B-D	B-C	B-SC	B-G1	B-G2	B-L	B-MG	B-O
1.	Indoor theaters, auditoriums, and assembly halls.	S	S	x	x	S	x	x	x
2.	Schools, studios and membership clubs for the physical conditioning of the human body through gymnastics, dance, exercise, weightlifting, karate and similar activities.	S	x	x	x	x	x	SP	SP
3.	Studios of dance, photography, graphic design, painting, or similar artistic endeavors, above the first level of the building.	x	S	x	x	x	x	SP	SP
4.	Health or fitness clubs, gymnasiums, tennis or racquet clubs.	x	S	SP	S	x	x	x	x
5.	Commercial recreation facilities, if entirely enclosed, such as ice and roller skating rinks or bowling alleys.	x	x	x	SP	x	x	x	x

A	ZP	S	SP	ZC	SR	x
Allowed	Zoning Permit	Site Plan	Special Permit	Zone Change	Summary Review	Not Permitted
No Zoning Permit Required	Staff	PZC	PZC with Public Hearing	PZC with Public Hearing	ZEO – No Public Hearing	
	Section 8.1.A	Section 8.3	Section 8.4	Section 8.6	Section 8.1.E	

G.	VEHICLE-RELATED	B-D	B-C	B-SC	B-G1	B-G2	B-L	B-MG	B-O
1.	Motor vehicle fueling station with or without convenience store (with no automobile repair service or car wash facility)	SP	SP	SP	SP	SP	SP	SP	x
2.	Motor vehicle service stations in accordance with the provisions and standards of Section 5.8.	S	x	x	SP	S	x	x	x
3.	Motor vehicle repair facilities in accordance with the provisions and standards of Section 5.8.	S	x	x	SP	S	x	x	x
4.	Vehicle washing facilities, when operated entirely within an enclosed building.	S	x	x	SP	x	x	x	x
5.	Motor vehicle sales and service (new and/or used automobiles, trucks, trailers, or farm equipment) to the extent approved by the Commission and subject to the provisions of Section 5.9.	SP	SP	x	SP	SP	x	x	x
6.	Motor vehicle rental specifically excluding the storage or repair of damaged vehicles.	SP	SP	x	SP	SP	x	x	x
7.	Motor vehicle sales and services, limited to new automobiles, trucks, trailers, or farm equipment, to the extent approved by the Commission and subject to the provisions of Section 5.9 (Automobile Dealerships), ***The sale of used motor vehicles shall be permitted only as an accessory use, provided such sales are subordinate and incidental to the principal use of new vehicle sales and services.***	x	x	SP	x	x	x		x

A	ZP	S	SP	ZC	SR	x
Allowed	**Zoning Permit**	**Site Plan**	**Special Permit**	**Zone Change**	**Summary Review**	**Not Permitted**
No Zoning Permit Required	Staff	PZC	PZC with Public Hearing	PZC with Public Hearing	ZEO – No Public Hearing	
	Section 8.1.A	Section 8.3	Section 8.4	Section 8.6	Section 8.1.E	

H. MANUFACTURING / STORAGE-RELATED	B-D	B-C	B-SC	B-G1	B-G2	B-L	B-MG	B-O
1. Manufacture, processing, or assembling of goods.	x	x	x	x	S	x	x	x
2. Addition to an existing manufacturing, processing, or assembly facility, providing the use was established prior to December 24, 1993, and the use has been continuous and can meet all other requirements of the District.	x	x	SP	SP	x	x	x	x
3. Plants for processing, packaging, and distribution of edible dairy products and the packaging and distribution of beverages.	x	x	x	x	S	x	x	x
4. Contractors' businesses and storage yards including, but not limited to, painting, plumbing, electrical, carpentry, and wood working shops.	x	x	x	x	S	x	x	x
5. Sheet metal, blacksmith, welding, and machine shops.	x	x	x	x	S	x	x	x
6. Indoor self-storage facilities subject to the provisions of Section 5.10.	SP	x	x	x	x	x	x	x
7. Warehousing and wholesale businesses including sale and distribution of heating fuel oil.	x	x	x	x	S	x	x	x
8. Lumber and building materials businesses	x	x	x	x	S	x	x	x
9. Freight and materials trucking terminals and businesses	x	x	x	x	S	x	x	x
10. Bus terminals	x	x	x	x	S	x	x	x
11. Commercial storage	x	x	x	x	S	x	x	x
12. Research laboratories.	x	x	x	x	S	x	x	x
13. Research, clinical laboratories, and testing laboratories for medical use only.	x	x	x	x	x	x	S	x

A	ZP	S	SP	ZC	SR	x
Allowed	Zoning Permit	Site Plan	Special Permit	Zone Change	Summary Review	Not Permitted
No Zoning Permit Required	Staff	PZC	PZC with Public Hearing	PZC with Public Hearing	ZEO – No Public Hearing	
	Section 8.1.A	Section 8.3	Section 8.4	Section 8.6	Section 8.1.E	

I. PUBLIC / INSTITUTION-RELATED	B-D	B-C	B-SC	B-G1	B-G2	B-L	B-MG	B-O
1. Public uses such as Town, state or federal government buildings, uses, and facilities	S	S	x	S	S	SP	x	SP
2. Places of worship.	S	S	x	SP	S	SP	x	SP
3. Not-for-profit, philanthropic and charitable institutions, lodges, and community houses.	S	S	x	SP	S	SP	x	SP
4. Educational institutions,	SP	SP	SP	SP	SP	SP	SP	SP
5. Libraries, museums, art galleries, and similar cultural uses.	SP	SP	SP	SP	SP	SP	SP	SP
6. Assisted living facility.	x	x	SP	x	x	x	x	x
7. Hospitals and convalescent or nursing homes.	x	x	x	SP	x	x	x	x

J. OTHER USES / STRUCTURES	B-D	B-C	B-SC	B-G1	B-G2	B-L	B-MG	B-O
1. Public utility facilities.	S	S	S	S	S	S	S	S
2. Telecommunications facilities.	SP	SP	SP	SP	SP	SP	SP	x
3. Temporary Special Events subject to Section 8.1.C	ZP	ZP	ZP	ZP	ZP	ZP	ZP	ZP
4. Adult uses in accordance with Section 5.12.		x		SP	x	x	x	x
5. Railroad rights-of-way and passenger stations, including customary accessory services therein, switching, storage sidings, freight yards and freight terminals.		x		x	S	x	x	x
6. Off-street parking facilities not accessory to another use.	x	x	x	x	S	x	x	x
7. Farms and farming including truck gardens, nurseries, keeping of livestock and poultry.	A	A	A	A	A	A	A	A
8. Farming-related structures including greenhouses, silos, barns, and roadside stands accessory to farms.	ZP	ZP	ZP	ZP	ZP	ZP	ZP	ZP

A	ZP	S	SP	ZC	SR	x
Allowed	**Zoning Permit**	**Site Plan**	**Special Permit**	**Zone Change**	**Summary Review**	**Not Permitted**
No Zoning Permit Required	Staff	PZC	PZC with Public Hearing	PZC with Public Hearing	ZEO – No Public Hearing	
	Section 8.1.A	Section 8.3	Section 8.4	Section 8.6	Section 8.1.E	

START
1. RESIDENTIAL DISTRICTS
2. BUSINESS DISTRICTS
3. INDUSTRIAL DISTRICTS
4. SPECIAL DISTRICTS
5. USE-RELATED-STANDARDS
6. BASIC STANDARDS
7. SPECIAL STANDARDS
8. PROCEDURES
9. REGULATORY FRAMEWORK
10. WORDS AND TERMS

2.3. Accessory Uses and Structures

See Section 2.5 for possible zone-specific limitations or provisions.

The following accessory uses and structures may, subject to a Zoning Permit, be permitted in all Business Districts except that accessory uses and structures customary with and incidental to a use requiring a Special Permit or Site Plan approval shall require Special Permit and/or Site Plan approval, as applicable.

1. Building mechanical equipment located outside the principal structure, including radio and television reception equipment, provided that such equipment shall be properly screened.

2. Signs, subject to Section 6.1.

3. Off-street parking and loading, excluding parking structures, subject to Section 6.2.

4. Parking, storage, and/or use of an accessory trailer or vehicle, subject to the provisions and standards of Section 5.1.

5. Other accessory uses as specified for each District or as determined by the ZEO.

6. Except as otherwise permitted, all production, repair, treatment, storage, and display of goods shall be accessory to the principal use of the premises.

7. No food, goods, or merchandise shall be sold from a trailer, truck, or cart situated on a lot except in connection with a non-profit organization, subject to a Zoning Permit and not to exceed 21 days.

8. Outdoor food and beverage service accessory to a permitted food establishment in accordance with the provisions of Section 5.21.

9. Roadside stands accessory to a farm (Zoning Permit) subject to the provisions and standards of Section 5.22.

10. Permanent farm stores accessory to a farm (Site Plan) subject to the provisions and standards of Section 5.22.

11. Family child care homes and group child care homes are permitted as an accessory use to a residential dwelling as per the provisions of Section 5.6.

12. Adult day care home subject to the provisions and standards of Section 5.25.

13. Food trucks in accordance with Section 5.18.

2.4. Area And Dimensional Standards

See Section 9.3 For How Area And Dimensional Standards May Be Applied
See Section 2.5 for possible zone-specific limitations or provisions
See Section 7.1 for possible dimensional exceptions
See Section 5.9 for possible dimensional provisions related to automobile dealerships

A.	MINIMUM LOT REQUIREMENTS	B-D District	B-C District	B-SC District	B-G1 District
1.	Minimum Lot Area	No Minimum	No Minimum	5 Acres	20,000 SF
2.	Minimum Lot Frontage	No Minimum	No Minimum	No Minimum	50’
B.	MINIMUM BUILDING/STRUCTURE SETBACKS				
1.	Front Yard				
	• Abutting A Non-Residential District	10’	No Minimum	50’	25’
	• Abutting A Residential District	25’	No Minimum	50’	50’
2.	Rear Yard				
	• Abutting A Non-Residential District	0’	No Minimum	25’	25’
	• Abutting A Residential District	25’	35’	75’	50’
3.	Side Yard				
	• Abutting A Non-Residential District	0’	No Minimum	25’	10’
	• Abutting A Residential District	25’	35’	75’	50’
4.	Allowable Projection (see Section 7.1.B)	2’	2’	2’	2’
5.	Minimum Building Separation	5’	No Minimum	50’	n/a
C.	MINIMUM PARKING / LOADING SETBACKS				
1.	Front Yard				
	• Abutting A Non-Residential District	10’	No Minimum	25’	10’
	• Abutting A Residential District	15	35’	25’	10’
2.	Side And Rear Yard				
	• Abutting A Non-Residential District	0’	No Minimum	10’	10’
	• Abutting A Residential District	15	35’	25’	30’
D.	MAXIMUM COVERAGE				
1.	Building Coverage	75%	75%	25%	40%
2.	Impervious Surface Coverage	75%	90%	75%	80%
E.	MAXIMUM FLOOR ARE RATIO				
1.	Maximum Floor Area Ratio	2.0	2.0	0.5	0.5
F.	MAXIMUM HEIGHT				
1.	Stories	4	4	3	3
2.	Feet	50’	50’	40’	40’

(requirements for other business districts on following page)

(requirements for other business districts on preceding page)

See Section 9.3 For How Area And Dimensional Standards May Be Applied
See Section 2.5 for possible zone-specific limitations or provisions
See Section 7.1 for possible dimensional exceptions
See Section 5.9 for possible dimensional provisions related to automobile dealerships

A.	MINIMUM LOT REQUIREMENTS	B-G2 District	B-L District	B-MG District	B-O District
1.	Minimum Lot Area	20,000 SF	10,000 SF	20,000 SF	No Minimum
2.	Minimum Lot Frontage	50’	50’	50’	50’
B.	MINIMUM BUILDING/STRUCTURE SETBACKS				
1.	Front Yard				
	• Abutting A Non-Residential District	25’	25’	25’	25’
	• Abutting A Residential District	25’	25’	50’	25’
2.	Rear Yard				
	• Abutting A Non-Residential District	10’	25’	25’	30’
	• Abutting A Residential District	50’	25’	50’	30’
3.	Side Yard				
	• Abutting A Non-Residential District	10’	No Minimum	10’	10’
	• Abutting A Residential District	50’	25’	50’	10’
4.	Allowable Projection (see Section 7.1.B)	2’	2’	2’	2’
5.	Minimum Building Separation	n/a	50’	n/a	n/a
C.	MINIMUM PARKING / LOADING SETBACKS				
1.	Front Yard				
	• Abutting A Non-Residential District	15’	10’	10’	15’
	• Abutting A Residential District	15’	10’	10’	15’
2.	Side And Rear Yard				
	• Abutting A Non-Residential District	10’	10’	10’	10’
	• Abutting A Residential District	25’	25’	30’	20’
D.	MAXIMUM COVERAGE				
1.	Building Coverage	50%	30%	40%	70%
2.	Impervious Surface Coverage	50%	75%	80%	70%
E.	MAXIMUM FLOOR ARE RATIO				
1.	Maximum Floor Area Ratio	1.0	0.4	0.5	0.8
F.	MAXIMUM HEIGHT				
1.	Stories	3	2	3	3
2.	Feet	40’	30’	40’	35’

2.5. Special Provisions

A. Provisions Applicable To All Business Districts

1. Except as otherwise specified, uses permitted by Site Plan approval shall not exceed 12,000 SF unless a Special Permit is granted by the Commission.

2. Except as otherwise specified, uses permitted by Special Permit approval shall not exceed 50,000 SF.

3. Where permitted, any retail use exceeding 20,000 SF in gross floor area shall be subject to the provisions and standards of Section 5.7.

B. Downtown Central Business (B-D) District

1. On-site parking or storage of a trailer shall conform to the provisions and standards of Section 5.1.

C. Oakville Central Business (B-C) District

1. All uses except parking, loading, and permitted signs shall be conducted entirely within a building.

2. Principal uses permitted by Site Plan approval shall not exceed gross floor area of 7,500 SF unless a Special Permit is granted by the Commission.

3. Principal uses permitted by Special Permit approval shall not exceed gross floor area of 20,000 SF.

4. All buildings shall include a principal entrance oriented toward the public right of way.

5. Pedestrian access shall be provided to link the entrance to the buildings to the public pedestrian circulation system.

6. The *maximum* front yard setback for all new buildings shall be 10 feet.

7. Limitations on total floor area shall not apply to the floor area in or on a building or structure used for parking or loading spaces.

8. For a multi-family residential development, the area and dimensional standards shall be modified as follows:
   a. Minimum Lot Area — 15,000 SF plus 1,500 SF / dwelling unit
   b. Minimum Rear Yard Setbacks - Building/Structure — 50’
   c. Minimum Side Yard Setbacks - Building/Structure — 25’

D. Shopping Center Business (B-SC) District

1. Principal uses permitted by Site Plan approval shall not exceed gross floor area of 20,000 SF, including outdoor display if any, unless a Special Permit is granted by the Commission.

2. A parcel may be subdivided into lots of less than five acres in size if done as part of a unified development. If not done as part of a unified development, parcels of less than five acres shall only be permitted as a Special Permit in accordance with Section 8.4.

3. Stores or shops for the conduct of retail business shall have a maximum gross floor area of 50,000 SF including outdoor display if any.

E. General Business 1 (B-G1) District

1. Unless otherwise specified, principal uses permitted by Site Plan approval shall not exceed gross floor area of 10,000 SF, including outdoor display if any, unless a Special Permit is granted by the Commission.

2. Principal uses permitted by Special Permit approval shall not exceed 20,000 SF including outdoor display, if any.

3. The following *accessory* uses are permitted, in addition to those listed in Section 2.3:
   a. Outdoor storage and displayed merchandise for sale on a maximum of 25% of the lot area, subject to appropriate screening (e.g. landscaping, fencing) required by the Commission.
   b. Outdoor storage and display of automobiles on lots approved for automobile sales, subject to applicable setback requirements for parking areas.
   c. Outside overnight parking of vehicles or equipment, provided that no vehicle or equipment shall be parked within any required yard and subject to appropriate screening (e.g., landscaping, fencing) required by the Commission.
   d. Wholesale or storage warehouses, provided that all equipment, materials, and product shall be stored within fully enclosed buildings.

F. General Business 2 (B-G2) District

1. On-site parking or storage of a trailer shall conform to the provisions and standards of Section 5.1.

2. Each lot shall contain a minimum square with 100 feet per side.

3. Accessory structures shall only have to comply with the following setbacks:
   a. Front Yard 25’
   b. Rear Yard 5’
   c. Side Yard 5’

G. Local Business (B-L) District

1. All uses, except parking, loading, and permitted signs shall be conducted entirely within a building.

2. Principal uses permitted by Site Plan approval shall not exceed gross floor area of 3,000 square feet in buildings not exceeding a total gross floor area of 12,000 square feet, unless a Special Permit is granted by the Commission.

3. Principal uses located in two or more buildings with a maximum ground floor area of 3,000 SF or less per use shall be permitted in the B-L District subject to Special Permit and Site Plan approval.

H. Medical and General Business (B-MG) District

1. Building mechanical equipment shall be located within a structure or shall be properly screened.

2. Recycling containers, grease containers, and dumpsters shall be screened and not in any required front yard.

3. Outside overnight parking of vehicles or equipment shall be a permitted accessory use, provided that no vehicle or equipment shall be parked within any required yard and that outside overnight parking of medical transportation vehicles shall be limited to ten vehicles. The Commission may require appropriate screening of such parking areas.

4. Amplification of sound shall be prohibited outdoors.

5. Storage and displays shall be prohibited outdoors.

6. Building exteriors shall be compatible with the characteristics of the District.

7. More than one principal use and/or more than one principal building may be permitted subject to the dimensional requirements of this Section.

8. Sites for permitted uses must have access to public water and public sanitary sewer.

I. Office Business (B-O) District

1. The B-O district is designated as a Village District as authorized by CGS Section 8-2j, as amended, and is subject to the Village District Design Standards contained in Section 7.5.

2. Since the B-O District is a Village District, a Special Permit application is required in the event of new development or, for the following changes with regard to an existing development:
   a. substantial change of use such as, but not limited to, a change which results in a change in the parking requirement,
   b. substantial construction or reconstruction such as, but not limited to, exterior modifications other than "like-for-like" replacement, or
   c. substantial rehabilitation of existing properties such as, but not limited to, reconfiguration of site improvements.

3. The minimum lot size shall be 7,500 SF plus 5,000 SF for each dwelling unit in excess of one dwelling unit.

4. Minimum setbacks for accessory structures shall be 25 feet from any front street line and five (5) feet from any side or rear property lines.

5. Home occupations in a residential dwelling unit are allowed with no Zoning Permit required, subject to the provisions of Section 5.2.

6. The renting of rooms to a total of not more than four (4) persons, with or without meals, in an owner-occupied dwelling unit is allowed with no Zoning Permit required.

7. Each lot shall contain a minimum square with 75 feet per side.

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SECTION 3 INDUSTRIAL DISTRICTS

3.1. Purposes

QUICK LINKS

3.1 Purposes
3.2 Principal Uses And Structures
3.3 Accessory Uses And Structures
3.4 Area & Dimensional Standards
3.5 Special Provisions

A. General Industrial (IG-20) District

The IG-20 zoning district represents the core of past historic manufacturing activities in Watertown. The current range of uses includes light manufacturing but also professional office, wholesale distribution, contractor facilities and personal services among others. Because of its proximity to the Main Street core downtown area, the district is advantageous to mixed uses which could include limited residential use.

B. General Industrial (IG-80) District

The purpose of the IG-80 District is to accommodate basic industrial uses and heavy commercial operations incompatible with residential environments and is intended to be less restrictive than the Restricted Industrial Districts.

C. Restricted Industrial (IR-80) District

The purpose of the IR-80 District is to provide a favorable and stable environment for the growth of industry to strengthen Watertown's employment opportunities and economy. The District is intended to foster coherent development of manufacturing, warehousing, distribution, plants, research and development, offices, and supporting private and public facilities at modern site development standards while minimizing disturbances to residential areas.

D. Restricted Industrial (IR--200) District

The purpose of the IR-200 District is to provide a favorable and stable environment for the growth of industry to strengthen Watertown's employment opportunities and economy. The Districts is intended to foster coherent development of manufacturing, warehousing, distribution, plants, research and development, offices, and supporting private and public facilities at modern site development standards while minimizing disturbances to residential areas.

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10. WORDS AND TERMS

3.2. Principal Uses and Structures

All uses shall be subject to specified restrictions, use and special use standards, and general performance standards of these Regulations.

See Section 3.5 for possible zone-specific limitations or provisions.

A.	MANUFACTURING / PRODUCTION-RELATED	IG-20	IG-80	IR-80	IR-200
1.	Manufacture, processing, assembly, packaging, and distribution of goods (including food and beverage products).	S	S	S	S
2.	Printing and publishing establishments and/or similar graphic arts services.	S	S	S	S
3.	Laundry, cleaning, dry cleaning, and dyeing plants.	S	S	x	x

B.	CONTRACTOR-RELATED	IG-20	IG-80	IR-80	IR-200
1.	Contractors' businesses including but not limited to painting, plumbing, electrical, carpentry, wood working, provided any outside storage yards is in accordance with Section 5.11.	S	S	x	x
2.	Building or construction contractor facilities provided there is no outdoor storage of unregistered vehicles, equipment, materials, or supplies. (see Section 3.3.6 regarding outside storage)	x	x	S	S
3.	Sheet metal, blacksmith, welding, and machine shops along with outside storage yards if in accordance with Section 5.11.	S	S	x	x

C.	DISTRIBUTION-RELATED	IG-20	IG-80	IR-80	IR-200
1.	Freight, courier, and materials businesses and services including trucking terminals	S	S	S	S
2.	Warehousing and distribution facilities including wholesale businesses	S	S	S	S
3.	Sale and distribution of heating fuel oil and/or fuel oil dealers	S	S	x	x

A	ZP	S	SP	ZC	SR	x
Allowed	**Zoning Permit**	**Site Plan**	**Special Permit**	**Zone Change**	**Summary Review**	**Not Permitted**
No Zoning Permit Required	Staff	PZC	PZC with Public Hearing	PZC with Public Hearing	ZEO – No Public Hearing	
	Section 8.1.A	Section 8.3	Section 8.4	Section 8.6	Section 8.1.E	

D. STORAGE-RELATED	IG-20	IG-80	IR-80	IR-200
1. Commercial storage facility.	S	x	x	x
2. Self-storage facilities.	x	x	x	S
3. Indoor self-storage facilities subject to the provisions of Section 5.10.	SP	S	S	S

Note – See Section 3.3 regarding outdoor storage as an accessory use

E. OFFICE-RELATED	IG-20	IG-80	IR-80	IR-200
1. General, medical, and/or professional offices.	S	S	x	x
2. Medical and dental clinics.	S	x	x	x
3. Bank and/or other financial institution without a drive-through window or drive-up ATM.	x	S	x	x
4. A drive-through window or drive-up ATM for a bank or other financial institution.	x	SP	x	x
5. Research or development facilities.	S	S	S	S
6. Document or electronic data storage facility.	x	x	S	S

F. HOSPITALITY-RELATED	IG-20	IG-80	IR-80	IR-200
1. Hotels and motels.	S	S	SP	SP
2. Indoor restaurants and other indoor food and beverage service establishments.	S	S	SP	SP

A	ZP	S	SP	ZC	SR	x
Allowed	**Zoning Permit**	**Site Plan**	**Special Permit**	**Zone Change**	**Summary Review**	**Not Permitted**
No Zoning Permit Required	Staff	PZC	PZC with Public Hearing	PZC with Public Hearing	ZEO – No Public Hearing	
	Section 8.1.A	Section 8.3	Section 8.4	Section 8.6	Section 8.1.E	

G.	SERVICE-RELATED	IG-20	IG-80	IR-80	IR-200
1.	Building services (e.g. pest control service, building maintenance service).	S	S	x	x
2.	Carpet or upholstery cleaning establishments.	S	S	x	x
3.	Child care centers subject to the provisions and standards specified in Section 5.6.	S	SP	SP	SP
4.	Driving School.	S	x	x	x
5.	Electrical repair shops.	x	S	x	x
6.	Equipment rental or leasing services, excluding motor vehicles.	x	S	x	x
7.	Health and fitness facilities.	S	S	S	S
8.	Indoor/ outdoor recreational facility with customary accessory use of food service for customers.	x	x	S	S
9.	Sanitary services (e.g. trash haulers, septic tank cleaners).	x	S	SP	x
10.	Upholstery or furniture repair shops.	x	S	x	x
11.	Dog Training Centers, without overnight care or boarding, subject to the provisions and standards specified in Section 5.27	x	x	x	SP
12.	Indoor recreational facilities with customary accessory food service for customers and where children must be accompanied by a parent and/or legal guardian.	x	S	x	x

H.	VEHICLE-RELATED	IG-20	IG-80	IR-80	IR-200
1.	Motor vehicle repair facilities in conformance with the provisions and standards of Section 5.8.	S	SP	x	x
2.	New automobile and truck sales.	x	SP	x	x
3.	Used automobiles, trucks, trailers, and farm equipment sales accessory to another permitted use on the same lot.	x	SP	x	x
4.	Establishments for the rental of automobiles, trucks, trailers, and/or farm equipment.	S	SP	x	x
5.	Bus terminals.	S	x	x	x
6.	Bus and motor coach depot with the following accessory uses: office, vehicle maintenance facility, and outdoor bus and motorcoach parking and storage.	x	x	x	S

A	ZP	S	SP	ZC	SR	x
Allowed	Zoning Permit	Site Plan	Special Permit	Zone Change	Summary Review	Not Permitted

No Zoning Permit Required	Staff	PZC	PZC with Public Hearing	PZC with Public Hearing	ZEO – No Public Hearing
	Section 8.1.A	Section 8.3	Section 8.4	Section 8.6	Section 8.1.E

I.	RETAIL-RELATED	IG-20	IG-80	IR-80	IR-200
1.	Stores and other buildings and structures where goods are sold or service is rendered primarily at retail accessory to another permitted use on the same lot, except such uses may be primary uses in the case of the adaptive reuse of a former industrial building.	S	x	x	x
2.	Lumber and building materials businesses	S	x	x	x

J.	RESIDENTIAL-RELATED	IG-20	IG-80	IR-80	IR-200
1.	Residential use limited to fifty per cent (50%) of the total square footage of the building.	S	x	x	x
2.	Conversion of existing industrial buildings to residential use in accordance with Section 5.14.	SP	x	x	x

A	ZP	S	SP	ZC	SR	x
Allowed	Zoning Permit	Site Plan	Special Permit	Zone Change	Summary Review	Not Permitted
No Zoning Permit Required	Staff	PZC	PZC with Public Hearing	PZC with Public Hearing	ZEO – No Public Hearing	
	Section 8.1.A	Section 8.3	Section 8.4	Section 8.6	Section 8.1.E	

K.	OTHER	IG-20	IG-80	IR-80	IR-200
1.	Public uses such as buildings, uses, and facilities of the Town, state or federal government	S	S	S	S
2.	Semi-public uses including philanthropic and charitable institutions, membership clubs, lodges, community houses, and not for profit institutions.	S	x	x	x
3.	Temporary Special Events subject to Section 8.1.C	ZP	ZP	ZP	ZP
4.	Vocational schools operated for profit.	x	SP	SP	SP
5.	Indoor theaters and assembly halls accessory to another permitted use on the same lot.	S	x	x	x
6.	Off-street parking facilities whether accessory to a permitted use or not.	S	x	x	x
7.	Public utility facilities.	S	S	S	S
8.	Telecommunications facilities.	SP	SP	SP	SP
9.	Radio or television broadcast facilities.	x	x	S	S
10.	Railroad rights-of-way and passenger stations, including customary accessory services therein, switching, storage sidings, freight yards and freight terminals.	S	x	x	x
11.	Storage of clean fill and the processing and storage of reclaimed asphalt directly reused in the construction of roads, bridges, incidental construction, and parking areas, subject to the provisions of Section 7.4.	x	SP	x	x
12.	Wind turbines, subject to the provisions of Section 5.16.	x	SP	SP	SP
13.	Farms and farming including truck gardens, nurseries, keeping of livestock and poultry.	A	A	A	A
14.	Farming-related structures including greenhouses, silos, barns, and roadside stands accessory to farms.	ZP	ZP	ZP	ZP

A	ZP	S	SP	ZC	SR	x
Allowed	**Zoning Permit**	**Site Plan**	**Special Permit**	**Zone Change**	**Summary Review**	**Not Permitted**
No Zoning Permit Required	Staff	PZC	PZC with Public Hearing	PZC with Public Hearing	ZEO – No Public Hearing	
	Section 8.1.A	Section 8.3	Section 8.4	Section 8.6	Section 8.1.E	

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3.3. Accessory Uses And Structures

See Section 3.5 for possible zone-specific limitations or provisions

The following accessory buildings, structures, and uses shall be permitted in any Industrial District.

1. Uses normally accessory to a principal use provided that the location and configuration of such uses shall be subject to approval by the Commission.

2. Building mechanical equipment located outside the structure provided that such equipment shall be properly screened.

3. Signs, subject to Section 6.1.

4. Access, parking and loading, including parking garages and parking structures, subject to Section 6.2.

5. Outside overnight parking of vehicles or equipment provided that no vehicle or equipment shall be parked within any required yard and that the Commission may require appropriate screening (e.g. landscaping, fencing).

6. Outdoor storage accessory to a principal building or use in accordance with Section 5.11 when on a paved surface and when screened from the street and residential property to the satisfaction of the Commission (Site Plan modification required).

7. Clinics and cafeterias, for employees only, when conducted within a building.

8. Recreation facilities, provided that all such buildings and uses shall be planned as an integral part of the development and located on the same lot with the use to which they are accessory.

9. Assembly hall for meetings incidental to the business of the principal use.

10. The display or sale of goods made, processed, or assembled on premises only provided that:
    a. Such use shall be clearly accessory to the principal use;
    b. Such use shall take place entirely within the confines of the principal building;
    c. Such use shall occupy no more than 2,500 square feet or 10% of the gross floor area devoted to the principal use whichever is less; and
    d. No goods shall be displayed outside.

11. Food trucks in accordance with Section 5.18.

12. Roadside stands accessory to a farm (Zoning Permit) subject to the provisions and standards of Section 5.22.

13. Permanent farm stores accessory to a farm (Site Plan) subject to the provisions and standards of Section 5.22.

3.4. Area And Dimensional Standards

See Section 9.3 For How Area And Dimensional Standards May Be Applied
See Section 3.5 for possible zone-specific limitations or provisions

A.	MINIMUM LOT REQUIREMENTS	IG-20	IG-80	IR-80	IR-200
1.	Minimum Lot Area	20,000 SF	80,000 SF	80,000 SF	200,000 SF
2.	Minimum Lot Frontage	50’	50’	50’	50’
B.	MINIMUM BUILDING/STRUCTURE SETBACKS				
1.	Front Yard				
	• Abutting A Non-Residential District	25’	50’	50’	50’
	• Abutting A Residential District	25’	50’	75’	100’
2.	Rear Yard				
	• Abutting A Non-Residential District	10’	25’	35’	35’
	• Abutting A Residential District	50’	50’	75’	100’
3.	Side Yard				
	• Abutting A Non-Residential District	10’ e	10’	35’	35’
	• Abutting A Residential District	50’	50’	75’	100’
4.	Allowable Projection (see Section 7.1.B)	2’	3’	3’	5’
C.	MINIMUM PARKING / LOADING SETBACKS				
1.	Front Yard				
	• Abutting A Non-Residential District	15’	10’	25’	20’
	• Abutting A Residential District	25’	10’	25’	40’
2.	Side And Rear Yard				
	• Abutting A Non-Residential District	10’	10’	25’	25’
	• Abutting A Residential District	25’	50’	75’	100’
D.	MAXIMUM COVERAGE				
1.	Building Coverage	n/a	40%	40%	30%
2.	Impervious Surface Coverage	50%	80%	65%	50%
E.	MAXIMUM FLOOR ARE RATIO				
1.	Maximum Floor Area Ratio	1.0	0.5	0.5	0.4
F.	MAXIMUM HEIGHT				
1.	Stories	4	4	4	4
2.	Feet	60’	60’	60’	60’

3.5. Special Provisions

A. Provisions Applicable To All Industrial Districts

1. All uses shall conform to the Environmental and Performance Standards of Section 6.6 and to the following provisions, as applicable.

2. Waste or scrap materials, debris, discarded or used materials, non-registered or non- operable motor vehicles or parts, or other unsightly material, shall be stored within a structure at least six feet in height, which does not extend into any required yard, or shall be screened in accordance with the provisions of Section 6.3.

3. The frontage of two or more lots making use of a single joint entry and a single exit to a frontage street may be computed as a single frontage.

4. Yards on a common side lot line may be omitted where two or more lots containing no residential uses make use of a single joint entry and single joint exit to a frontage street, provided permanent vehicular access shall be provided to the rear of all such lots.

B. Requirements for IG-20 District

1. In the IG-20 District, each lot shall contain a minimum square with 100 feet per side.

C. Requirements for IG-80 District

1. << reserved >>.

D. Requirements for IR-80 and IR-200 Districts

1. All permitted operations and related storage in the IR-80 and IR 200 Districts shall be conducted within a building, except for:
   a. Parking,
   b. Outdoor storage approved by the Commission as an accessory use as provided in Section 3.3.6 of these Regulations, or
   c. as otherwise expressly allowed (such as an outdoor playground area accessory to a child care center).

2. In the IR-200 District more than one principal use and/or more than one principal building may be permitted subject to all applicable standards.

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SECTION 4 SPECIAL DISTRICTS

QUICK LINKS

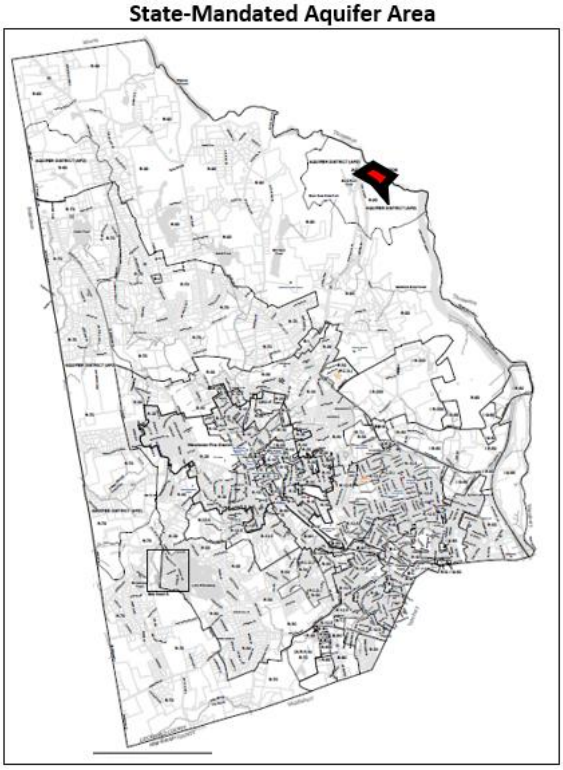
4.1. Aquifer Protection Overlay Zone
4.2. Flood Management Overlay Zone
4.3. Age Restricted Housing Overlay Zone
4.4. Residential/Office Transition (RT) Overlay Zone
4.5. Designed Residential Development Overlay Zone
4.6 Planned Development District
4.7 Oakville Village Planned Development District
4.8 Sealy Oakville Village Planned Development District

4.1. Aquifer Protection Overlay Zone

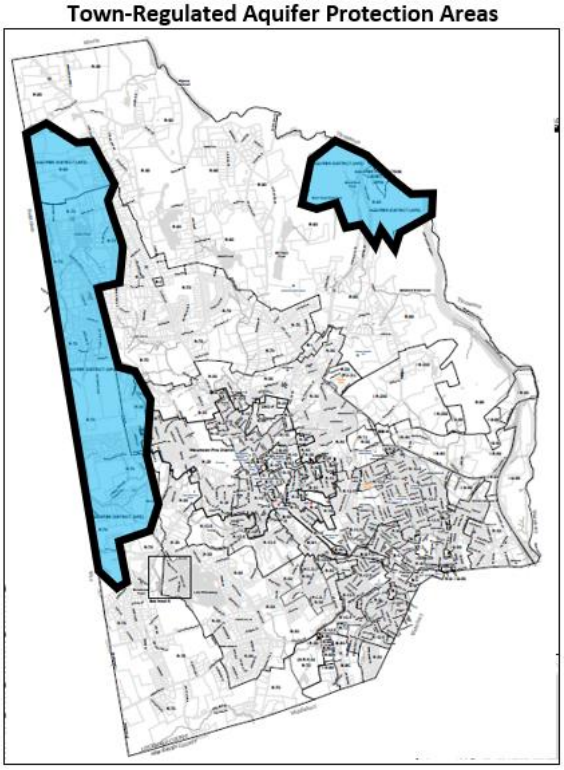
Note that Watertown has two aquifer protection programs:

- **This Section 4.1 of the Zoning Regulations, and**
- **State-mandated Aquifer Protection Regulations which may be found on the Planning and Zoning page of the Town website or by clicking here.**

State-Mandated Aquifer Area



Town-Regulated Aquifer Protection Areas



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A. Purpose

The Aquifer Protection Overlay Zone (APOZ) is to protect the public health, safety, and welfare through the preservation of the Town's major groundwater resources to ensure a future supply of safe and healthy drinking water for the Town and its residents. The Aquifer Protection Overlay Zone is designated as an overlay district to regulate development activities within these areas in order to reduce the potential for groundwater contamination.

B. Definitions

AQUIFER – A geologic unit capable of yielding usable amounts of potable water.

AQUIFER PROTECTION OVERLAY ZONE – An area designated on the map entitled "Watertown Planning and Zoning Commission Aquifer Map" as a primary recharge area for an aquifer yielding usable amounts of water for existing or potential water supplies.

AQUIFER, DESIGNATED – A geologic unit capable of yielding usable amounts of water and designated on a map entitled – "Watertown Planning and Zoning Commission Aquifer Map".

DIRECT RECHARGE – The process by which precipitation replenishes a stratified-drift aquifer by natural infiltration through the unsaturated zone to the water table.

GROUNDWATER – Water in the subsurface area beneath the water table in which open spaces are filled with water.

GROUNDWATER RECHARGE AREA – That area from which water is added to the saturated zone by natural processes, such as infiltration of precipitation, or artificial processes, such as induced infiltration.

PRIMARY RECHARGE AREA – That area immediately overlying the stratified-drift aquifer and adjacent areas of stratified drift that may not have a sufficient saturated thickness to be part of the aquifer. The boundary of the primary recharge area is the contact between the stratified drift and adjacent fill or bedrock.

C. Applicability

1. These Regulations shall apply to all land and uses encompassed within the APOZ as designated on a map entitled: "Watertown Planning and Zoning Commission Aquifer Map", which map is hereby made a part of these regulations.

2. These Regulations shall be in addition to the requirements for the underlying Zoning Districts as designated on the Zoning Map. Both the requirements of the Zoning Regulations as set forth in other sections and the requirements contained herein for the APOZ shall apply within such zone, and in the event of a conflict, the more restrictive requirements shall control.

3. Within the boundaries of the APOZ comprising the primary recharge areas of designated aquifers, no land shall be used except in compliance with the provisions of these Regulations.

D. Permitted Uses

The following are permitted uses in the APOZ:

1. All uses permitted in the underlying district except as provided in Section 4.1.E or Section 4.1.G.

2. On-site sewage disposal systems provided that no such system shall discharge more than 500 gallons of sanitary wastewater per acre per day.

3. On-site storage of petrochemicals for heating use in tanks of less than 550 gallons installed above-ground, provided that such tanks shall be designed and constructed in accordance with the standards of Underwriters Laboratories. Inc., Canadian Standards Association, National Fire Prevention Association or CGS Section 29-62.

E. Special Permit Uses

The following uses are only permitted in the APOZ subject to Special Permit approval in accordance with Section 8.4 and Site Plan approval in accordance with Section 8.3.

1. On-site sewage disposal systems that discharge more than 500 gallons of sanitary wastewater per acre per day.

2. Any uses which include the use of storage of potential groundwater contaminants, either liquid or dry materials, including but not limited to, on-site storage of petrochemicals in tanks installed in-ground, or tanks larger than 550 gallons installed above-ground.

3. Groundwater heat pumps supplying heating and cooling for other than a detached single-family residence, provided that such systems shall be restricted to closed- loop types.

4. A building or portion thereof, other than a private garage or carport, or any area above or below grade used for the parking and storage of motor vehicles and available to the general public.

F. Conditions for Special Permit Uses

1. The handling, use, or storage of dry materials which are potential groundwater contaminants, including but not limited to chemical fertilizers, pesticides, or road salt and de-icing materials, shall be done in a manner to prevent leachate contamination, utilizing both structural and non-structural measures. Such measures may include, but are not limited to, building enclosures, impervious pads and pavements, self-contained drainage systems, detention basins, filters, separators or other devices, and sound management practices.

2. All tanks for the storage of materials which are potential groundwater contaminants shall be designed and constructed in accordance with the standards of Underwriters Laboratories, Inc., Canadian Standards Association, National Fire Prevention Association, or CGS Section 29-337. Underground storage shall be prohibited and secondary containment shall be required.

3. The handling, storage, or use of liquid materials which are potential groundwater contaminants including but not limited to, dry-cleaning establishments, laundries, printing, and photo finishing establishments, shall be in conformance with the following conditions.
   a. There shall be no discharge of liquid to the ground.
   b. The liquid and the equipment using the liquid material shall be kept in an area with no floor drains, designed and constructed to contain a spill of at least the maximum amount of liquid material on the premises at one time. The Special Permit shall establish the maximum amount of liquid material to be stored on the premises at one time.
   c. The liquid material shall be stored in clearly labeled, Department of Transportation Approved, containers.
   d. The hazardous material shall be removed from the premises every 90 days or less by waste haulers licensed by the State and transported to permitted treatment or disposal sites in accordance with Part III of the Connecticut Department of Environmental Protection Hazardous Waste Regulations, as amended.
   e. In order to obtain a Special Permit to handle, store, or use liquid materials which are potential groundwater contaminants, as provided by these Regulations, the applicant shall prepare for approval by the Commission, a spill protection, control, and containment plan, which shall include but not be limited to the following items: the precautions to be taken during the handling or transfer of the liquid material; provision of sufficient absorbent materials on- site; a schedule for the inspection and maintenance of equipment and containers; the method of detection of spills and leaks, and the name(s) of the person(s) responsible for implementing the spill protection, control, and containment plan. The approved plan shall be kept on file in the office of the Commission. All spills shall be reported to the Zoning Enforcement Officer. Failure to report a spill may result in revocation of the Special Permit.
   f. Agricultural operations shall employ best management practices as recommended by the Soil Conservation Service and/or the Agricultural Stabilization Service for the application, storage, and handling of manure, fertilizers, or pesticides and management of animal wastes.

G. Prohibited Uses

The following uses are prohibited in the APOZ:

1. Where the manufacture, use, handling, storage, or disposal of hazardous or materials is a principal activity.
2. The treatment of hazardous material.
3. The storage of hazardous waste generated off-site.
4. The storage of hazardous waste generated on-site for a period in excess of 60 days.
5. Motor vehicle service stations.
6. Oil, gasoline, or hazardous material pipelines.
7. Septage disposal.
8. Any permitted industrial use which discharges hazardous materials or pollutants into the groundwater.
9. Dry cleaners, photo processors, or furniture strippers.

H. Waiver of Aquifer Regulations

Where it can be determined through on-site investigation which meets the standards of the U.S. Geological Survey that a parcel of land within the APOZ is not within a primary or secondary recharge area, the restrictions above shall not apply.

I. Modification

The process for an Aquifer Protection Areas Permit modification is the same as for an Aquifer Protection Areas Permit.

J. Modification of APOZ Map

1. The Commission, following a public hearing, may change the boundaries of the APOZ Map. The Commission may change such Map on its own motion or upon the filing of a written petition.
2. Following the public hearing, the APOZ Map may be changed to delete areas which are not within the primary recharge area of the aquifer in question, or the APOZ Map may be changed to include other areas which are within the primary recharge area of such aquifer but were not previously shown as such on the APOZ Map.

4.2. Flood Management Overlay Zone

The floodplain regulations for Watertown have been placed in Appendix B.

Watertown participates in the National Flood Insurance Program so that owners of property in flood-prone areas will have access to flood insurance.

Participation in the National Flood Insurance Program is predicated on adoption of regulatory provisions which are consistent with model regulations promulgated by the Federal Emergency Management Agency (FEMA) in coordination with the Connecticut Department of Energy and Environmental Protection (DEEP).

In 2024, Watertown adopted the most current FEMA/DEEP model regulations as part of a comprehensive reorganization and revision of the Zoning Regulations.

The floodplain regulations for Watertown have been placed in Appendix B since the numbering system used in the DEEP model regulations is different than that used in the Zoning Regulations as a whole.

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4.3. Age-Restricted Housing Overlay Zone

A. Purpose

The Age-Restricted Housing (ARH) Overlay Zone has been established in order to:

- Provide an opportunity for the development of age-restricted housing to meet local housing needs, and
- increase the diversity of housing options within the Town.

B. Establishment of an ARH

The establishment of an ARH overlay zone shall be considered a zone change subject to the requirements and procedures of CGS Section 8-3 and the provisions of Section 8.6 of these Regulations.

In approving any such zone change application, the Commission shall determine that a need for an ARH overlay zone has been established.

C. Occupancy Standards for ARH Developments

1. Each ARH unit is required to have at least one resident age 55 or older and deed restrictions to be filed on the land records shall document such restriction. As a result, an ARH community shall qualify as "housing for older persons" described in the "Fair Housing Act" .

2. No individual who has not attained the age of 21 years may be domiciled within a dwelling unit in an ARH development for more than 30 days within a calendar year.

3. Any person who is permitted to and did occupy a unit with an age-qualified person may continue to occupy the unit, after the death of such age-qualified person, or if such age-qualified person becomes a permanent resident of a health care facility.

4. The above age restrictions shall be verified on an annual basis in writing by the Association required by Section 4.3.H, below.

D. Development Standards for ARH Developments

1. Permitted uses in an ARH development are the following subject to Special Permit (Section 8.4) and Site Plan (Section 8.3) approvals in accordance with these Regulations and the additional standards and requirements of this Section.
   a. Single-family detached buildings.
   b. Single family attached units (townhouses)
   c. Multifamily buildings.
   d. Open space conservation land both public and private.
   e. Recreational / community facilities appurtenant to the community.
   f. Maintenance facilities appurtenant to the community.

2. The maximum number of units in an ARH development shall be based on:
   - The calculation of developable land (total parcel area minus any land categorized as wetland, watercourse, slopes greater than 25%, or 100-year floodplain.
   - The ARH density factor as set forth below for the underlying zoning district(s)

Zone	Proposed ARH Density	Minimum Parcel Size
R-G	12 units/developable acre	3 acres
R-10	8 units/developable acre	4 acres
R-12.5	6 units/developable acre	4 acres
R-20	4 units/developable acre	6 acres
R-30	3 units/developable acre	10 acres
R-70	2 units/developable acre	20 acres
R-90	2 units/developable acre	20 acres

3. ARH developments shall be subject to the area and dimensional requirements of the underlying zone except that:
   a. The side yard setbacks around the perimeter of the parcel shall be double that of the underlying zone in order to provide for a landscape buffer or screen.
   b. The Commission may, by Special Permit, grant additional building coverage and/or impervious surface coverage up to an additional 20% (- i.e., a 10% coverage limit may be increased to 12%) for excellence in building and site design as determined by the Commission.
   c. Buildings shall be separated from each other by at least 20 feet.

4. On parcels of land larger than 20 acres, at least twenty-five percent (25%) of the site shall be set aside, preferably as contiguous public open space. The Commission may allow water quality basin areas, perimeter buffers, and conservation restriction areas to be included in meeting this open space set-aside requirement.

5. An ARH development shall be developed pursuant to CGS Chapter 828, the Connecticut Common Interest Ownership Act.

6. All dwelling units constructed along existing Town roads shall:
   a. If oriented internally to the development, provide and maintain an appropriate setback / buffer with parking areas screened from view from the public street.
   b. If oriented to the Town road, be:
      1) Single family detached units with a minimum front setback of 50 ft (from the Town road),
      2) A minimum separation along the Town Road of double the side yard setback in the underlying zone, and
      3) No parking in the required front yard setback.

7. An ARH development may be phased.

E. Site Development Standards

1. **Natural Assets** - Existing features of the site which are of value for the development or to the Town as a whole, such as trees, watercourses and similar irreplaceable assets, shall be preserved as far as possible through harmonious design and placement of the buildings, driveways, walkways and parking facilities.

2. **Parking** –
   a. Except as provided in the Statutory Limitations subsection of Section 6.2, the minimum resident parking requirements shall be as specified in Section 6.2.
   b. A minimum of one garage space per unit shall be provided. Driveway parking spaces at least 20 feet in length may be counted as resident spaces.
   c. All garages shall be fully enclosed and have a minimum width of 12 feet and a minimum depth of 20 feet per parking space.
   d. In addition to the minimum resident parking requirements, an additional 15% shall be provided as off-street visitor parking spaces.
   e. At no time shall on-street parking be permitted within the development and shall be so signed.

3. **Utility Infrastructure** –
   a. The site shall be served by public water and public sewer. All water and sewer mains within the road system shall be owned and maintained by the Watertown Water and Sewer Authority. All water and sewer laterals from the roadways to the buildings shall be owned and maintained by the community.
   b. The site shall be adequately served by fire hydrants subject to review by the Fire Marshal.
   c. All storm drainage facilities within the development shall be:
      1) Constructed in accordance with Best Management Practices (BMP's) for storm water quality and management, as specified in Section 6.5. Sheet flow techniques and roadside swales shall be encouraged over curbing, catch basins, and manholes. The storm water management plan shall provide for a zero increase in peak runoff from the site.
      2) Constructed to Town of Watertown standards.
      3) Owned and maintained and replaced by the private homeowners association established pursuant to the Connecticut Common Interest Ownership Act (CGS Chapter 828).
      4) An annual report of storm drainage maintenance and repairs shall be provided by The Homeowners' Association to the Town Engineer.
   d. All electric, telephone and other cable supplied services shall be installed underground.

4. **Roadway Infrastructure** –
   a. The roadway system shall be private but shall be constructed to Town of Watertown standards (12-inch gravel base and 4 inches of asphalt).
   b. Access roads and driveways shall be arranged in a suitable and convenient traffic pattern. Primary collector roads within the development shall be at least twenty-four (24) feet in width and secondary roads shall be at least eighteen (18) feet in width.
   c. For dead-end streets within the development, turnarounds shall be provided with a minimum pavement diameter of 120 feet, or an alternate configuration acceptable to the Fire Department.
   d. All driveways and access roads shall be set back at least 20 feet from property lines, excepting as required for access roads to connect with town roads.
   e. Access roads and driveways shall be adequately graded, drained, maintained in all seasons by the Homeowners Association to provide satisfactory access to police, firefighting, and emergency equipment.
   f. Access roads and driveways shall, as necessary, be repaired / replaced by the Homeowners Association.
   g. Suitable pedestrian walkways and trails shall be provided.
   h. An annual report of said maintenance and repairs shall be provided by The Homeowners' Association to the Town Engineer.

F. Building Development Standards

1. **Building Design** –
   a. There shall be a maximum of two bedrooms per dwelling.
   b. Each residential unit shall have a private outside space of at least 50 square feet, such as a terrace, deck, patio, balcony, or courtyard adjoining and directly accessible to the residential unit.
   c. The Zone Change, Special Permit, and Site Plan applications shall include conceptual images of each of the proposed housing types, demonstrating a consistent architectural theme and a consistent application of good quality exterior siding and roofing materials, which shall be subject to approval by the Commission at the time of Special Permit approval.
   d. The Commission shall determine that the architectural design, scale, and mass of buildings and other structures, including exterior building materials, colors, roof lines, and building elevations shall be residential in characteristics so as to harmonize with and preserve the appearance of the surrounding residential area.
   e. For excellence in building and site design as determined by the Commission, the Commission may grant a density bonus of up to 5% of the total number of units.

2. **Mechanical Equipment** -
   a. Except for solar panels, there shall be no mechanical equipment on the roofs visible from the ground.
   b. Mechanical equipment and refuse containers shall be screened from view on at least three sides and to the satisfaction of the Commission on all sides.

G. Affordable Housing

1. Due to the need for affordable housing units in Watertown, especially for older households, at least 15% of the units in the development shall be deed-restricted to remain affordable to households earning 80% or less of the area median income for at least 40 years unless modified by the Commission in favor of an alternate approach that addresses such housing needs (such as a lower percentage of units that will result in a higher number of housing unit equivalent points as described in CGS Section 8-30g(l)(6), a longer period of restrictions, etc.).

2. Any development containing affordable units shall submit a housing affordability plan in accordance with Section 5.26 detailing how the affordable housing units will be established and managed over time. Such plan shall be in accordance with any standard requirements adopted by the Commission and the Commission may reserve the right to approve any proposed administrator of such affordability plan.

3. The deed restrictions shall be in accordance with any standard restrictions adopted by the Commission.

H. Homeowners' Association and Deed Restrictions

1. A homeowners' association (common interest ownership association per CGS Chapter 828) for the ARH development must be established to the satisfaction of the Commission and in accordance with Connecticut Law.

2. The association documentation must be recorded on the land records of the Town of Watertown and must, at a minimum, contain the age restrictions and limitations contained in this ARH regulation. The association shall be responsible for ensuring compliance with said restrictions.

3. The restrictions as to age of occupants shall be specifically included as an encumbrance on the deed of each unit to be recorded on the land records.

4.4. Residential/ Office Transition (RT) Overlay Zone

A. Purpose

The Residential/ Office Transition (RT) Overlay Zone is intended to accommodate a transition of residential uses ranging from single-family dwellings to multi-family dwellings, while maintaining or preserving the existing characteristics of the area. To guide the Commission's consideration of an application to site a Residential/ Office Transition (RT) Overlay Zone, the intent is to accommodate a transition between the commercial zone B-SC and the residential R-30/R-12.5 Zone, while still maintaining and preserving the residential characteristics of the area.

B. Establishment of RT District

The RT District may be established as an overlay zone in an existing R-12.5 or R-30 District bordering Straits Turnpike or Bunker Hill Road by Zone Change application amendment in accordance with the procedures of Section 8.6.

C. Uses Permitted by Right

1. Those uses currently permitted in the R-12.5 and R-30 Residential Districts as a matter of right subject to the uses, conditions, provisions, and area and dimensional requirements of the respective districts.

2. Existing two-family dwellings.

3. New two-family dwellings.

4. Conversion or enlargement of existing single-family dwellings to two-family dwellings provided that any fire escapes or stairways added to the exterior of the building shall not be allowed on any wall facing the street.

5. Existing three-family dwellings.

D. Uses Permitted by Special Permit and Site Plan Approval

1. The uses currently permitted in the underlying R-12.5 and R-30 Residential Districts subject to Special Permit (Section 8.4) and Site Plan (Section 8.3) approvals and subject to the uses, conditions, provisions, and area and dimensional requirements of the respective districts.

2. New three-family dwellings.

3. Conversion or enlargement of existing single or two-family dwellings to three-family dwellings provided that any fire escapes or stairways added to the exterior of the building shall not be allowed on any wall facing a street.

4. Multi-family dwellings in accordance with the requirements of Section 5.5 except that such development shall have a minimum parcel size of five acres and a density not exceeding eight units per acre.

5. Professional offices.

E. Area and Dimensional Requirements in the RT District

MINIMUM AREA	**RT**	
Minimum Area	1.5 acres	
Minimum Lot Frontage	50 ft.	
Minimum Square	100 ft	
SETBACK REQUIREMENTS	**Buildings and Structures**	**Parking Areas (but not driveways)**
Front Yard	50 ft	25 ft.
Rear Yard	25 ft.	50 ft.
Side Yard	25 ft. each	50 ft. each
All Yards Abutting Residential District	50 ft.	50 ft.
BUILDING LIMITATIONS		
Maximum Coverage		
• **Building Coverage**	25%	
• **Impervious Surface Coverage**	35%	
Maximum Height		
• **Stories**	2.5	
• **Feet**	60 Ft.	

F. Design Standards

The following design standards shall apply to professional office uses in the RT District.

1. The proposed buildings or modifications to existing buildings shall be harmoniously related to their surroundings, to the terrain, and to the use, scale, and architecture of existing buildings in the vicinity that have a functional or visual relationship to a proposed building or modification.

2. All spaces and structures visible to the public from public roadways shall be designed to add to the visual amenities of the area consistent with those of the residential district in and around the proposed building or modification.

3. The color, size, height, proportion of openings, roof treatments, materials, and landscaping of the property and any proposed signs and lighting shall be evaluated for compatibility with the local architectural motif and the maintenance of views, historic buildings, monuments, and landscaping.

4. The removal or disruption of historic traditional or significant structures or architectural elements shall be minimized.

5. The arrangement and orientation of any proposed building or site improvement shall be similar in the immediate residential neighborhood.

6. The building and layout of buildings and parking lots shall reinforce existing buildings and streetscape patterns and the placement of buildings and parking lots shall ensure there is no adverse impact on the immediate residential neighborhood.

7. Open space of the proposed developments shall reinforce open space patterns of the immediate neighborhood, in form and siting.

8. Locally significant features of the site such as distinctive buildings or vistas shall be integrated into the site design.

9. The landscape design shall complement the neighborhood's landscape patterns and reinforce functional qualities.

10. The exterior signs, site lighting, and accessory structures shall support a uniform architectural theme and present a harmonious relationship with the surrounding neighborhood.

11. The scale, proportions, massing and detailing of the proposed building shall be in proportion to the scale, proportion, massing, and detailing in the neighborhood.

12. The sign shall be limited to one freestanding sign eight square feet in area, a maximum of five feet in height and located 10 feet from all property lines or such other dimensions as approved by the Commission.

13. The site lighting shall conform to the requirements of Section 6.4, however, the height of any light posts in the associated parking area shall be determined by the Commission.

14. The applicant shall provide a sample of the building material for Commission review.

15. A 50 foot landscaped buffer shall be provided between all residential homes and the building used for Professional Office use. The buffer shall be sufficiently landscaped with continuous evergreen trees or hedges having a minimum height of seven feet providing screening and buffering.

16. Existing trees shall be saved, if possible; if grading is required in their vicinity, trees shall be appropriately welled or mounded to protect them from damage.

17. No paving shall be permitted within the required buffer.

18. The Commission may permit fencing or walls in addition to the landscape buffer.

19. Parking shall be located to the rear and side of the building used for Professional Office use.

20. The number of parking spaces shall be in accordance with Section 6.2 of these Regulations.

4.5. Designed Residential Dev. Overlay Zone

A. Purpose

The Designed Residential Development (DRD) Overlay Zone is intended to provide reasonable opportunity for alternative dwelling types of an integrated and harmonious design, consistent with the characteristics of the Town of Watertown the orderly development of the neighborhood, and the purposes of these Regulations.

B. Establishment of a DRD Overlay Zone

1. The establishment of a DRD overlay zone shall be considered a Zone Change subject to the requirements and procedures of CGS Section 8-3 and the provisions of Section 8.6 of these Regulations.

2. Following granting of a Zone Change by the Commission, development of a specific plan shall require granting of a Special Permit application in accordance with Section 8.4 of these Regulations.

3. Any such application for a Zone Change and/or a Special Permit shall be accompanied by site plans, architectural plans, and other drawings as relevant and in sufficient detail to illustrate the existing topography and the character, function and location of uses, buildings, structures, streets, driveways, parking facilities, accessory uses and services, contours, wetlands, water courses, drainage, erosion and sedimentation control, sewerage, water supply, outdoor illumination, and landscaping, although the level of detail associated with a Zone Change application may not necessarily show the degree of detail required for a Site Development Plan under Section 8.3 or for an application for a Zoning Permit.

C. DRD Development Standards

The following minimum standards shall apply to a DRD development.

1. A DRD development shall be served by public water supply, municipal sanitary sewers, and adequate street access.

2. The minimum parcel size for a DRD development shall be ten (10) acres, exclusive of any existing street or utility rights-of-way.

3. The number of dwelling units in a DRD shall not exceed 3.5 units per acre of lot area of the proposed development site, provided however that wetlands, watercourses, slopes steeper than twenty-five percent (25%), and 100-year floodplain shall be subtracted from the total development site area for the purposes of such computation.

4. Permitted uses in a DRD development are the following subject to Special Permit (Section 8.4) and Site Plan (Section 8.3) approvals in accordance with these Regulations and the additional standards and requirements of this Section.
   a. Single-family detached buildings.
   b. Single family attached units (townhouses).
   c. Open space conservation land both public and private.
   d. Recreational / community facilities appurtenant to the community.
   e. Maintenance facilities appurtenant to the community.

5. The dimensional setbacks shall be the same as the underlying zone except that:
   a. The side yard setbacks around the perimeter of the parcel shall be double that of the underlying zone in order to provide for a landscape buffer or screen.
   b. Buildings shall be separated from each other by at least 20 feet.
   c. The total ground coverage of the DRD, exclusive of street and utility rights-of-way, by all buildings and structures, areas for off-street parking, loading and driveways, and all paved areas, but excluding coverage by sidewalks, ornamental plazas, terraces, and swimming pools, shall not exceed 30% of the area of the proposed development site(s). The Commission may, by Special Permit, grant additional building coverage and/or impervious surface coverage up to an additional 20% (- i.e., a 10% coverage limit may be increased to 12%) for excellence in building and site design as determined by the Commission.
   d. Buildings shall not exceed a height of 35 feet and shall also not exceed a height of two and one half (2-1/2) stories; any floor area having a ceiling height of seven (7) feet or more and not exceeding half of the floor area of the story next below shall be considered such permitted “half story”.

6. No roadway, access drive,, and no off-street parking space shall be located within 50 feet of any street line or the DRD boundary line, provided however that access driveways from streets, with no parking spaces thereon, may cross such setback area.

7. A DRD development shall be developed pursuant to CGS Chapter 828, the Connecticut Common Interest Ownership Act.

8. A DRD development may be phased.

D. Site Development Standards

1. **Natural Assets** - Existing features of the site which are of value for the development or to the Town as a whole, such as trees, watercourses and similar irreplaceable assets, shall be preserved as far as possible through harmonious design and placement of the buildings, driveways, walkways and parking facilities.

2. **Parking** –
   a. Except as provided in the Statutory Limitations subsection of Section 6.2, the minimum resident parking requirements shall be as specified in Section 6.2. A minimum of one garage space per unit shall be provided. Driveway parking spaces at least 20 feet in length may be counted as resident spaces.
   b. All garages shall be fully enclosed and have a minimum width of 12 feet and a minimum depth of 20 feet per parking space.

3. **Utility Infrastructure** –
   a. The site shall be served by public water and public sewer. All water and sewer mains within the road system shall be owned and maintained by the Watertown Water and Sewer Authority. All water and sewer laterals from the roadways to the buildings shall be owned and maintained by the community.
   b. The site shall be adequately served by fire hydrants subject to review by the Fire Marshal.
   c. All storm drainage facilities within the development shall be:
      1) Constructed in accordance with Best Management Practices (BMP's) for storm water quality and management, as specified in Section 6.5. Sheet flow techniques and roadside swales shall be encouraged over curbing, catch basins, and manholes. The storm water management plan shall provide for a zero increase in peak runoff from the site.
      2) Constructed to Town of Watertown standards.
      3) Owned and maintained and replaced by the private homeowners association established pursuant to the Connecticut Common Interest Ownership Act (CGS Chapter 828).
      4) An annual report of storm drainage maintenance and repairs shall be provided by The Homeowners' Association to the Town Engineer.
   d. All electric, telephone and other cable supplied services shall be installed underground.

4. **Roadway Infrastructure** –
   a. The roadway system shall be private but shall be constructed to Town of Watertown standards (12-inch gravel base and 4 inches of asphalt).
   b. Access roads and driveways shall be arranged in a suitable and convenient traffic pattern. Primary collector roads within the development shall be at least twenty-four (24) feet in width and secondary roads shall be at least eighteen (18) feet in width.
   c. For dead-end streets within the development, turnarounds acceptable to the Fire Department shall be provided.
   d. All driveways and access roads shall be set back at least 50 feet from property lines, excepting as required for access roads to connect with town roads.
   e. Access roads and driveways shall be adequately graded, drained, maintained in all seasons by the Homeowners Association to provide satisfactory access to police, firefighting, and emergency equipment.
   f. Access roads and driveways shall, as necessary, be repaired / replaced by the Homeowners Association.
   g. Suitable pedestrian walkways and trails shall be provided.
   h. An annual report of said maintenance and repairs shall be provided by The Homeowners' Association to the Town Engineer.

E. Building Development Standards

1. **Building Design** –
   a. The Zone Change, Special Permit, and Site Plan applications shall include conceptual images of each of the proposed housing types, demonstrating a consistent architectural theme and a consistent application of good quality exterior siding and roofing materials, which shall be subject to approval by the Commission at the time of Special Permit approval.
   b. The Commission shall determine that the architectural design, scale, and mass of buildings and other structures, including exterior building materials, colors, roof lines, and building elevations shall be residential in characteristics so as to harmonize with and preserve the appearance of the surrounding residential area.

2. **Mechanical Equipment** -
   a. Except for solar panels, there shall be no mechanical equipment on the roofs visible from the ground.
   b. Mechanical equipment and refuse containers shall be screened from view on at least three sides and to the satisfaction of the Commission on all sides.

F. Affordable Housing

1. Due to the need for affordable housing units in Watertown, at least 15% of the units in the development shall be deed-restricted to remain affordable to households earning 80% or less of the area median income for at least 40 years unless modified by the Commission in favor of an alternate approach that addresses such housing needs (such as a lower percentage of units that will result in a higher number of housing unit equivalent points as described in CGS Section 8-30g(l)(6), a longer period of restrictions, etc.).

2. Any development containing affordable units shall submit a housing affordability plan in accordance with Section 5.26 detailing how the affordable housing units will be established and managed over time. Such plan shall be in accordance with any standard requirements adopted by the Commission and the Commission may reserve the right to approve any proposed administrator of such affordability plan.

3. The deed restrictions shall be in accordance with any standard restrictions adopted by the Commission.

G. Homeowners' Association and Deed Restrictions

1. A homeowners' association (common interest ownership association per CGS Chapter 828) for the ARH development must be established to the satisfaction of the Commission and in accordance with Connecticut Law.

2. The association documentation must be recorded on the land records of the Town of Watertown.

4.6. Planned Development District

A. Purpose

This section of the Regulations is intended to permit modification of the strict application of the standards and provisions of these Regulations to accomplish the purposes set forth below:

1. Enable the development or redevelopment of specific areas in accordance with an overall Master Plan for such area and in accordance with the Plan of Conservation and Development adopted in accordance with CGS Section 8-23, as may be amended.

2. Be flexible in order to allow for innovative design techniques, accommodate unique uses and/or encourage creative approaches to development or redevelopment.

3. Promote economic development in appropriate locations which will help meet community needs and be compatible with the community.

4. Result in a development that demonstrates a high regard for design and that is compatible with the historic, cultural, and geographic qualities of Watertown.

B. Eligible Areas

In order to establish a Planned Development District (PDD), one of the following conditions shall be met:

1. The location of the proposed PDD or a portion thereof is specifically identified as a potential PDD location within the Plan of Conservation and Development adopted in accordance with CGS Section 8-23, as may be amended.

2. The location of the proposed PDD and the nature of proposed development is determined by the Commission to be consistent with the objectives and recommendations of the Plan of Conservation and Development adopted in accordance with CGS Section 8-23, as may be amended.

3. The location of the proposed PDD or a portion thereof shall be identified as a potential location within the Development Priority Areas in the Plan of Conservation and Development adopted in accordance with CGS Section 8-23, as may be amended.

C. Preliminary Discussion Strongly Encouraged

In order to guide the proposed development and minimize the potential for unnecessary expense or delay, persons wishing to establish a Planned Development District hereunder are strongly encouraged to arrange for preliminary meetings with the Commission prior to submitting an application for a Planned Development District.

D. Basic Parameters

1. A Planned Development District may only be established by approval of three (3) applications, submitted and processed at the same time:
   a. The Master Plan, providing the information described in Section 4.6.E in sufficient detail for the Commission to understand and establish the overall parameters of the proposed development,
   b. A Regulation Amendment application processed in accordance with Section 8.5 of these Regulations were the wording of the amendment applied for shall be the Master Plan documents as may be approved by the Commission in accordance with this Section 4.6 of the Regulations, and
   c. A Zone Change application, processed in accordance with Section 8.6 of these Regulations, locating the proposed Planned Development District on the official Zoning Map.

2. Once a Planned Development District is established, actual development may only occur with Site Plan review as provided in Section 8.3 of these Regulations where the purpose of such Site Plan review is to determine if the proposed development is consistent with the approved Master Plan and to document the proposed improvements.

3. As provided in Section 36-4 of the Code of Ordinances of the Town of Watertown, the Commission may require the applicant to pay the cost of reasonable consulting fees for peer review of the technical aspects of any of the applications.

E. Requirements For Master Plan Submittal

A Master Plan of the proposed development shall be submitted to the Commission for approval and such Master Plan shall include the following:

1. **Overview of Planned Development District** -A name identifying the proposed Planned Development District and a general statement regarding the intent of the proposed Planned Development District.

2. **Conceptual Site Plans** -One or more sheets depicting the proposed schematic design of the site including:
   a. The identification and general location of proposed uses; .
   b. Existing and proposed building footprints;
   c. Proposed public and private streets) sidewalks and/or pedestrian walkways) rights-of-way, and parking areas;
   d. A landscaping plan, including the location of proposed buffers;
   e. Information regarding the provision of water, sewer, drainage, and other utilities, and
   f. The location of public and or private open space or conservation areas

3. **Schematic Architectural Drawings** - One or more sheets, illustrating the schematic design of the proposed buildings and structures, including:
   a. Architectural elevations of all buildings, and/or
   b. Photographs of building similar to the proposed buildings

4. **Data Table** - Information regarding the proposed development including:
   a. Lot area and lot frontage;
   b. Building setbacks, yards, and/or building separations;
   c. Building coverage and impervious coverage;
   d. Proposed floor area by proposed use;
   e. Parking spaces.

5. **Additional Documentation** -Depending on the nature and/or intensity of the proposed Planned Development District, the following documentation may also be required by the Commission:
   a. A traffic study estimating the potential traffic generation and the capacity of streets . within and neighboring the zone to accommodate the projected traffic;
   b. A report regarding the adequacy of proposed utility services;
   c. A statement on how the proposed development complies with the Plan of Conservation and Development; and
   d. Any additional information as may be required by the Commission to fully understand the nature of the proposed development.

F. Application Processing

1. Any Commission action regarding a PDD shall only pass if made by an affirmative vote of two-thirds of the full membership of the Commission.

2. Following the close of the public hearing(s), the Commission shall first approve, modify and approve, or deny the Master Plan.

3. In evaluating the merits of the Master Plan and determining the appropriateness of a proposed PDD, the Commission shall consider the following factors:
   a. Consistency with the Plan of Conservation and Development, as may be amended.
   b. Whether the proposed PDD promotes reasonable and logical development to serve the public interest of the community.
   c. Whether the uses proposed are consistent with the Special Permit considerations and criteria, as appropriate, of Section 8.4 of these Regulations.
   d. Accessibility to major roads and proximity to community services.
   e. Physical characteristics of the lot.
   f. The capability of existing infrastructure (or infrastructure to be provided by the applicant) to support the proposed development, and
   g. Any other factors that the Commission deems applicable to a Zone Change application.

4. If the Commission denies the Master Plan, the Commission shall also deny the Text Amendment application and the Zone Change application.

5. If the Commission approves or modifies and approves the Master Plan, the Commission shall approve the Text Amendment application.

6. If the Commission approves or modifies and approves the Master Plan, the Commission shall approve the Zone Change application.

G. Effect Of Approval

1. If the Commission approves the Text Amendment application, the effect of such approval shall, provided the requirements of Section 4.6.H are followed, be to treat the Master Plan materials approved by the Commission and any conditions of approval as if it were a distinct part of the text of these Regulations and to modify Section 4.6.K of these Regulations to reference the approved Master Plan and any conditions of approval.

2. If the Commission approves the Zone Change application, the effect of such approval shall be to rezone the property to the name of the Planned Development District provided the requirements of Section 4.6.H are followed.

3. Adoption of a PDD by the Commission and completion of the requirements of Section 4.6.H, shall constitute authorization to apply for site plan review.

4. Any provision of these Regulations applicable to the property prior to the Zone Change and Text Amendment and not superseded by adoption of the Master Plan, standards, and zoning map and regulation amendments shall continue in full force and effect.

H. Completion Of Approval / Effective Date

1. If the Commission approves the Regulation Amendment application, the approved Master Plan and accompanying material shall, within ninety (90) days of the Commission's, action, be submitted to the Commission for signature by the Chair, or the approval of the Zone Change and Regulation Amendment shall be null and void.

2. Once signed by the Chair of the Commission, the approved Master Plan shall, at the applicant's expense, be filed on the Land Records within 30 days of the Chairman's signature or the approval of the Zone Change and Regulation Amendment shall become null and void.

3. Upon request of the applicant, and for a good cause shown, the Commission may extend the period prescribed in Subsection 1 above by ninety (90) additional days, and/or the period described in Subsection 2 above by thirty (30) additional days.

4. The effective date of the Regulation Amendment and the Zone Change applications shall be the date that the approved Master Plan doc documents, signed by the Chair of the Commission, are filed on the Land Records by the applicant at the applicant's expense.

START
1. RESIDENTIAL DISTRICTS
2. BUSINESS DISTRICTS
3. INDUSTRIAL DISTRICTS
4. SPECIAL DISTRICTS
5. USE-RELATED-STANDARDS
6. BASIC STANDARDS
7. SPECIAL STANDARDS
8. PROCEDURES
9. REGULATORY FRAMEWORK
10. WORDS AND TERMS

I. Site Plan Review / Construction

1. No construction within the POD may occur without approval by the Commission of detailed site plans, approved by the Commission in accordance with Section 8.3 of these Regulations documenting that the proposed construction substantially conforms to the approved Master Plan and standard engineering requirements.

2. If site plans are not submitted within two (2) years of the effective date of the Text Amendment and the Zone Change applications, or within 2 years of the final dismissal of an appeal of such Text Amendment and Zone Change by a court of competent jurisdiction, and if an extension of time is not given by the Commission for good cause shown, then the Text Amendment application and the Zone Change application shall become null and void and the PDD area shall revert to all the requirements of its previous zoning.

3. Site Plans may be submitted in phases provided that such phases:
   a. Include all those public amenities and features used as a public protection for the surrounding area, and
   b. Shall be capable of complete and self-sufficient existence without the completion of the remaining stages.

4. If construction of improvements is not begun and diligently prosecuted to completion within five (5) years of the effective date of the Text Amendment and the Zone Change application, or within 5 years of the final dismissal of an appeal of such Text Amendment and the Zone Change by a court of competent jurisdiction, and if an extension of time is not given by the Commission for good cause shown, then the Text Amendment application and the Zone Change application shall become null and void and the PDD area shall revert to all the requirements of its previous zoning.

5. No Certificate of Zoning Compliance precedent to a Certificate of Occupancy shall be issued within the PDD without the posting of a financial guarantee in accordance with Section 8.8.M in form and amount approved by the Commission, to guarantee the provision of common elements which may be included in a later phase, but are considered by the Commission to be integral to the overall development including, but not limited to, private roads, buffer strips, walkways, recreational facilities, or other common elements.

J. Future Modifications

1. Any modification of an approved Master Plan may be approved by Site Plan review in accordance with Section 8.3 of these regulations if:
   a. The modification decreases the dimensional elements (e.g., reduction of building, size or lessons, the impact on abutting properties, and or
   b. Does not substantially alter, in the opinion of the Commission, the character of the approved Master Plan.

2. Any modification of an approved Master Plan shall be approved by a Regulation Amendment in accordance with Section 4.6 and with Section 8.5 of these Regulations codifying the revised Master Plan as part of this Section of the Regulations if:
   a. The modification adds or deletes a permitted use or substantially alters, in the opinion of the Commission, the area devoted to different uses in the approved Master Plan.
   b. The modification increases the dimensional elements in the Master Plan (e.g., expansion of building size).
   c. The modification substantially alters, in the opinion of the Commission, the character of the approved Master Plan.

K. Approved Planned Development Districts

FORMAT

Planned Development District #1 (<<insert name of PDD>>) was approved by the Commission at a meeting on («insert date of PZC approval»), effective on («insert date of filing on land records»), and filed on the land records at Volume ____, Page ___and/or Map File _____.

1. (reserved)

4.7. Oakville Village Planned Development District (OVPDD)

A. Overview

An Oakville Village Planned Development District (OVPDD) may be established by the Planning and Zoning Commission when:

- It is determined by the Commission to be more desirable to consider an entire parcel of land as a single unit of development for the purpose of site planning and utilities so that there is a coordinated and orderly development while maintaining the option of different uses within the district.
- Found to be necessary and appropriate for the following purposes:
  - To allow for tracts of land of four (4) or more acres to be developed, redeveloped, and improved as integrated and consistent with any Plan of Conservation And Development adopted by said Commission,
  - Such tracts are of sufficient size to accommodate the design and when another existing zoning district does not exist or could not be appropriately established to accomplish such purposes.

B. Qualifying Standards

The Commission, upon application of the owner of the land of sufficient size, may establish an OVPDD if the following criteria can be established.

1. That such development is desirable for the physical and economic growth of the town.

2. That such development shall be served by public water and public sewer.

3. That such development is consistent with the Town's Plan Of Conservation And Development.

4. That such development proposal includes a statement of all permitted uses.

5. That an OVPDD shall be subject to all Section 8.3 (Site Plan requirements) of these Regulations; a Site Plan need not be filed with an application for a PDD where specific uses are not known, however, one or more preliminary conceptual plans showing possible building sizes and locations, areas of ingress and egress and parking plan options, but not inclusive of all site plan requirements must be filed.

6. That, at the time of Site Plan approval, the development must comply with Section 6.6 Environmental Performance Standards.

7. That, at the time of Site Plan approval, the development must comply with Section 6.7 Erosion and Sediment Control.

8. That, at the time of Site Plan approval, the development must comply with Section 6.3, landscaping, screening, and buffering.

9. That, at the time of Site Plan approval, the development must comply with Signage Standards, Section 6.1.E.

10. That, at the time of Site Plan approval, the development must comply with Section 6.4, lighting.

11. That, at the time of Site Plan approval, the development must comply with Section 6.2.C.3 or Section 6.2.C.9 Parking.

12. That, at the time of Site Plan approval, the development may include one or more drive throughs, including dual drive-throughs provided the stacking lane area designated for a drive-through can accommodate not less than twelve vehicles while on site except there shall only be one restaurant with drive through facilities which may be a dual lane drive through. A restaurant with drive through facilities, if any, shall be located at least fifty feet from the property line abutting the Veteran's Memorial and must include screening to hide the drive through from the Veteran's Memorial; provided that, if possible in the development scheme, a one hundred foot setback will be preferable.

C. Process

An application for an OVPDD shall comply with the requirements of Section 8.5 and/or Section 8.6, Zoning Amendments.

D. Phased Development

Phased Development shall be permitted. In such a case, a Site Plan for one or more phases may be submitted without the requirement for a site plan for the entire development. A Phased Development Site Plan may include a conceptual Site Plan for the entire development. The first phase of any development shall represent no less than twenty percent (20%) of the total project area.

4.8. Sealy Oakville Village Planned Development District (SOVPDD)

A. Purpose

The purpose of the Sealy Oakville Village Planned Development District (SOVPDD)shall be to accommodate the redevelopment of the Sealy Property located in the Oakville Center. The goal is to provide for general commercial, rental, and professional office uses. The goal is to encourage the orderly development of the property and provide an opportunity for creative and flexible architectural design, the sound inter-relationship of buildings, pedestrian and vehicular circulation, landscaping, parking areas, and business uses. The redevelopment will complement and integrate with the Oakville Center Community. In addition, the goal is to provide a public benefit with improvements and improved access to the adjacent Veterans Memorial.

B. Permitted Uses

The following uses may be permitted subject to the Site Plan approval and compliance with the qualifying standards and other provisions of the POD Regulation:

1. Stores or shops for the conduct of retail business (including a farm or garden store), which may have a drive-through.
2. Stores or shops for the conduct of personal service businesses.
3. Retail dry cleaners or retail laundry establishments.
4. Restaurants, sit-down, with drive-through facilities.
5. Banks or financial institutions with drive-through facilities.
6. General, medical, and professional offices.
7. Indoor theatres or auditoriums.
8. Public uses.
9. Health or fitness clubs, gymnasiums, or racquet clubs.
10. Graphic Arts.
11. Studios of dance, photography, graphic design, painting, or similar artistic endeavors.
12. Dual drive-throughs subject to standards set forth in Section 4.7.B.12.
13. Outdoor display as an accessory to any permitted use, which sale or display area may exceed the associated building's floor area.

C. Vehicle And Pedestrian Circulation Standards

At the time of Site Plan approval the overall site should include a complete pedestrian and vehicular circulation system, which emphasizes internal pedestrian circulation.

1. Open space areas for public sitting and gathering areas which may include but is not limited to a public plaza or passive recreation areas. The area(s) should be generally centrally located on the site. Water features and public art are encouraged to be included. The areas shall be equipped with benches or chairs, pedestrian-scaled lighting, and adequate trash receptacles. The area(s) should be generally integrated and complementary to development on the site. Five percent of the developed portion of the property shall be dedicated to open space.

2. Pedestrian connections between the development area and the existing Oakville community, including a public sidewalk to Rt 73 which connects to the internal pedestrian circulation network.

3. A pedestrian circulation system that is strongly linked to any central open space area, residential open space areas, and all commercial areas.

4. Adequate facilities for bicycles, including bicycle racks.

5. Vehicular circulation that adequately serves all areas and components of the development in a manner that is supportive of the overall pedestrian orientation.

D. Additional Standards

In addition to the standards contained in the Plan Development District Regulation, the following additional standards are applicable.

1. The SOVPDD shall consist of a lot or assemblage of lots totaling not less than 8 acres.

2. Mixed-Use site development shall be permitted, but not required.

3. Retail/commercial square feet development shall consist of 12,000 square feet of building floor area (exclusive of surface parking) per acre with a maximum building height of forty feet as discussed in #4 below.

4. The maximum height of any building shall be forty feet from ground level to peak of roof line, not including non-habitable space such as attic, pitched roof or ornamental features such as a cupola.

5. Open space shall be integrated into the project, but no internal screening or buffering shall be required between multiple pad sites if any. Landscaping and green spaces shall be provided to soften architectural features and provide space for pedestrian respite.

6. No drive-through shall have direct access to a public roadway. Internally contained drive- through facilities including dual drive throughs are allowed for the permitted uses.

7. Outdoor display of merchandise, so long as the total outdoor display area for the entire development does not exceed 35,000 square feet.

8. Phased development of a Site Plan shall be allowed.

9. Front yard, side yard, and rear yard building setbacks shall be a minimum of thirty-five feet from any property boundary.

10. The plan will particularly provide for screening, buffers, and landscaping for adjacent residential properties fronting Hillside Avenue Henry Street, and Ball Farm Road in accordance with Section 6.3 of the regulations; provided, however, it is understood that property grades may not allow for complete screening, buffers and landscaping.

11. Provisions for electric vehicle charging stations are encouraged and, if required, shall comply with applicable state or local standards.

E. Building Design, Architectural Styles And Details

1. The design of the buildings shall be consistent with that described in the Plan of Conservation and Development for Oakville's downtown design elements, emulating a New England Village featuring flat and low-pitched roofs. Flat roofs should have a parapet and cornice appropriate to the architectural style of the building. Reference should be made to the Hillside Park architectural renderings submitted with the application for guidance on design.

2. Applicants should use decorative details on the exterior of the building appropriate to the architectural style.

3. All rooftop utilities or other equipment shall be concealed from view of pedestrians, car traffic and residential dwellings which may be located on higher elevations on adjacent properties; provided, however, it is understood that the property grades may not allow for complete screening of such rooftop items.

F. Procedural Requirements

1. Application/ Site Plan

An application and Site Plan to develop within the SOVPDD shall be submitted to the Commission in writing and shall conform to all the requirements of Section 8.5 and/or Section 8.6, Zoning Amendments, and shall be accompanied by a written statement specifying the proposed uses of the area, special design considerations and features, architectural guidelines and themes, and how the proposal is consistent with the purpose of the SOVPDD.

2. Site Plan Requirements

In addition to all site plan requirements included in Section 8.3 (Site Plan requirements) of the regulations, and all requirements included in the Qualifying Standards of the SOVPDD definition, the site plan shall also include the following:

a. Location and size of property, including a boundary map and a map showing the project site in the context of the surrounding area.

b. Ability of existing fire suppression equipment and other sources to properly service the proposed development.

c. General vehicular and pedestrian circulation showing all proposed public and private drives, walking paths, sidewalks, and means of traffic calming and/ or pedestrian safety.

d. Proposed public areas such as parks, lawn areas and recreational facilities.

e. Landscaping and lighting plans showing areas of existing mature trees, all existing and proposed surface water resources, proposed landscaping treatments, proposed open space and recreational areas, and detail of proposed pedestrian-scaled lighting fixtures to be used.

f. General streetscape and architectural design or theme, with exterior elevations, perspective drawings and descriptive information regarding building materials and exterior finishes.

g. Tentative construction timeline and phasing plan

h. Existing and proposed utility plan

i. Traffic Impact analysis, which describes the potential impact of the proposed uses on public roads, and the adequacy and efficiency of the proposed internal circulation system. The Commission may request that the traffic impact be analyzed as to each phase of the overall plan.

j. Other information which may reasonably be required by the Commission.

START
1. RESIDENTIAL DISTRICTS
2. BUSINESS DISTRICTS
3. INDUSTRIAL DISTRICTS
4. SPECIAL DISTRICTS
5. USE-RELATED-STANDARDS
6. BASIC STANDARDS
7. SPECIAL STANDARDS
8. PROCEDURES
9. REGULATORY FRAMEWORK
10. WORDS AND TERMS

3. Signs

Signage shall be consistent with an overall theme approved by the Commission, based upon the size of the proposed development, type of uses proposed, layout of the proposed structures, in a manner consistent with the intent of this regulation and in accordance with Section 6.1.E of the regulations.

4. Regulatory

a. The Commission may approve the Site Plan only after the Commission finds that the Site Plan is consistent with all applicable sections of the Watertown Zoning Regulations. The applicant shall be entitled to develop the site in phases and each phase shall comply with such regulations prior to commencement of a particular phase's development.

b. The approved preliminary conceptual plans will constitute the beginning point of site plan approval, understanding that the preliminary plans show only one or more building locations and sizes and indicate suggested areas of ingress and egress and potential parking plans. All other site plan requirements and requirements of the SOVPDD must be shown on the site plan for each phase submitted for approval.

c. The property owners may apply for changes to the preliminary conceptual plans; so long as such changes do not have a materially detrimental impact upon the overall character, function, or circulation of the development, the Commission shall approve the changes through a site plan amendment.

d. However, if the Commission determines that the proposed changes are materially detrimental to the development's overall characters, function or circulation, it may require that an application for a change of the conceptual plan be submitted and considered in accordance with the procedures of the Watertown Zoning Regulations.

e. A site plan for at least one of the approved phases of this development shall be filed within five years of the date of the approval of the conceptual site plan and zone map change. If no work has commenced within five years of the approval of the SOVPDD , as evidenced by the issuance of a building permit for at least one of the principal structures on the site, the SOVPDD shall expire. The applicant may request an extension of an additional five-year period and the Commission shall approve such an extension unless it finds significant change in circumstances.

4.9. Harvard Oakville Village Planned Development District (HOVPDD)

A. Purpose

The purpose of the **HOVPDD** shall be to accommodate the redevelopment of the 3 Harvard Street Property located in the Oakville Center. The goal is to provide for the redevelopment of the existing building to accommodate twelve (12) residential dwellings.
The goal is to provide for the orderly redevelopment of the property. The redevelopment will compliment and integrate with the Oakville Center Community. The goal is to provide additional housing opportunities in accordance with the comprehensive plan of development.

The HOVPDD shall apply to the following Real Property:
"All that certain piece or parcel of land, with the buildings and improvements thereon, situated in the Town of Watertown, County of Litchfield and State of Connecticut, being shown as Lot #29, #30, #31, and #32 as shown on map entitled "Map of Property of Phyllis W. Monterose, Havard St. – Yale St. – Main St. Watertown, Conn" Dated June 18, 1992, prepared by Mattson Associates. Also being the same premises being shown as Lot #29, #30, #31, and #32 as shown on map entitled "MAP OF THE DAVIS HOMESTEAD LOCATED IN THE VILLAGE OF OAKVILLE WATERTOWN, CONN." Dated June 13, 1902, Scale One Inch = 40 feet, prepared by the Office of A.J. Patton, Surveyor, and recorded as Map No. 38 in the Watertown Town Clerk's Office. Said premises being known as 3 Harvard Street, Oakville, Connecticut."

B. Permitted Uses

The following uses may be permitted subject to the Site Plan approval and compliance with the qualifying standards and other provisions of the POD Regulation.

a. Twelve (12) Residential Dwelling Units.

SECTION 5 USE-RELATED STANDARDS

QUICK LINKS

5.1. Accessory Vehicle / Trailers Storage
5.2. Home Occupations
5.3. Accessory Dwelling Units
5.4. Planned Residential Development
5.5. Multi-Family Dwellings
5.6. Child Care
5.7. Retail Uses Exceeding 20,000 Square Feet
5.8. Motor Vehicle Service Stations and Repair Facilities
5.9. Automobile Dealerships
5.10. Self-Storage Facilities
5.11. Outdoor Storage
5.12. Adult Uses
5.13. Conversion to Limited Professional Office Use
5.14. Conversion of Certain Existing Industrial Buildings
5.15. Telecommunications Facilities
5.16. Wind Turbines
5.17. Congregate Housing
5.18. Food Trucks
5.19. Bed & Breakfast Establishment
5.20. Keeping Of Animals In A Residential Zone
5.21. Accessory Outdoor Food & Beverage Service
5.22. Farm - Accessory Retail Operations
5.23. Senior Homes
5.24 Commercial Nursery / Greenhouse
5.25 Adult Day Care Home / Center
5.26 Housing Affordability Plans

5.1. Accessory Vehicle / Trailers Storage

A. General Limitation

1. One (1) trailer, recreational vehicle, boat, mobile home, or unregistered vehicle (collectively and individually "accessory trailers and vehicles") may be parked or stored outside on any lot as an accessory use to a permitted use on the same lot, subject to compliance with the standards of this Section 5.1.

2. Any additional accessory trailer or vehicle shall be stored in a garage or other accessory building or screened from the street and adjacent properties.

B. Standards for Storage of Accessory Trailer and Vehicles

1. In Residential Districts, any outside storage of an accessory trailer or vehicle shall comply with setback requirements for a principal building in the subject District.

2. The owner of the accessory trailer or vehicle stored on a lot shall also be the owner or occupant of a dwelling or other permitted use on the lot.

3. No unregistered vehicle in a state of dismantlement shall be stored on any lot.

C. Standards for Use of Accessory Trailers and Vehicles

1. The owner or occupant of a lot containing a dwelling may permit the parking of one trailer or recreational vehicle on the lot for use by a nonpaying guest as a dwelling, for a period not exceeding four (4) weeks in any calendar year, subject to issuance of a Zoning Permit within 48 hours of the time the land is so used.

2. A trailer, recreational vehicle, or mobile home may be used as an office in connection with and for the duration of a construction project on the same lot, provided that it is located so as to meet all the setback requirements for buildings and other structures and is removed within 30 days after completion of the project.

3. Trailers, recreational vehicles, and mobile homes may also be used or occupied for human habitation when located on a parcel owned by the Town of Watertown or State of Connecticut and designated by them for camping purposes.

D. Accessory Parking Of A Commercial Vehicle

1. **Commercial Vehicle** - Overnight parking / storage of one (1) commercial vehicle may be allowed as an accessory use on a residential lot in any residential district provided that the table below shall indicate that the specific vehicle type is allowed in a Residential Zone.

May Be Parked In A Residential Zone Unless Considered a Commercial Vehicle	**a. Generally *NOT* A Commercial Vehicle (see factors below)** • Passenger car, convertible, station wagon • Sport utility vehicle (SUV), minivan, pickup • Farm vehicles used on a farm for activities associated with that farm
If Considered A Commercial Vehicle, One Such Vehicle May Be Parked In A Residential Zone	**b. May Be Considered A Commercial Vehicle** • Full size pickup • Van, utility van • Mini-bus • Open or enclosed trailers used for commercial purposes
A Commercial Vehicle Which Shall *NOT* Be Parked In A Residential Zone	c. **Generally Considered A Commercial Vehicle - -** • Step van, box truck, walk-in truck • Landscape truck, dump truck, bucket truck • Tractor cab and/or trailer, oil truck, pumper truck, school bus • Earth moving equipment and similar types of construction equipment.

2. Factors which may be used to decide whether a vehicle or a trailer is a commercial vehicle include, but are not limited to:
   a. Commercial registration.
   b. Gross vehicle weight rating (GVWR) greater than 10,000 pounds or vehicle class (Class 2 or above).
   c. The presence of logos or markings identifying a trade, business, service or commodity.
   d. Modifications such as equipment racks.

3. Exceptions may be made for temporary parking of public utility emergency vehicles or on-call service vehicles used as part of a resident's employment when such vehicles are parked on the driveway.

4. Provided that such vehicles are screened to the satisfaction of the Commission, the Commission may, by Special Permit, allow the parking / storage of:
   a. More than one (1) commercial vehicle of the type categorized into Subsection 5.1.D.1.5 above, or
   b. A commercial vehicle of the type categorized into Subsection 5.1.D.1.c above.

5.2. Home Occupations

A. Standards for Home Occupations

1. A home occupation may be conducted as an accessory use to a dwelling unit in any District, subject to the following framework and the standards of this Section:

Allowed - No Zoning Approval Required	• Only residents of the premises working on site
Zoning Permit Required	• Residents of the premises plus up to one non-resident employee working on site
Special Permit Required	• More than one non-resident employee • More than 25% or 400 square feet of floor space of the dwelling, whichever is smaller, will be used for the home occupation • Any manufacturing, mechanical or structural fabrication, assembly, or processing of any products or items.
Prohibited	• Retail sales or other customer / client traffic • Contractor workshops • Landscaping / mowing contractors / services

2. The Zoning Permit and/or a Special Permit for a home occupation shall terminate when the permit recipient no longer resides in the dwelling unit.

3. The home occupation shall not impair the residential characteristics of the premises and neighborhood or create substantially more vehicular traffic and/or parking than that normally generated by residential use.

4. No objectionable noises, odors, vibrations, or unsightly conditions shall be created.

5. No internet, cable, radio, or television interference shall be created in the vicinity.

6. There shall be no outdoor storage and no display, advertising, or other visible evidence of such use outside the building in which it is located.

5.3. Accessory Dwelling Units

An accessory dwelling unit may be created in any Zoning District, subject to compliance with the following conditions:

1. **Approval Type** -

Zoning Permit Required	• **Within or attached to a single-family detached dwelling** • **Detached from a single-family dwelling**

2. **Owner-Occupancy Required** - One of the dwelling units shall be owner-occupied at all times. The owner of the property shall certify to the ZEO, in the form of an affidavit made at the time of the initial application, that the owner:
   a. Is in residence in one of the dwelling units on the property, and
   b. Agrees that the Zoning Permit (or Special Permit) shall become null and void, and the accessory dwelling unit removed, if the owner no longer resides at the property .

   The ZEO may subsequently require re-certification by affidavit at any time and failure to file such re-certification within 30 days shall void the Zoning Permit (or Special Permit) and require removal of the accessory dwelling unit.

3. **With Regard To The Property** –
   a. An accessory dwelling unit shall be accessory to a single-family detached dwelling only.
   b. Only one accessory dwelling unit shall be allowed on any property.
   c. Certification shall be required from the Town Sanitarian that the sewage disposal system is adequate to serve both dwelling units.
   d. No additional driveways shall be created for the purpose of serving an accessory dwelling unit.
   e. Parking spaces meeting the requirements of Section 6.2 shall be provided.

Attached Accessory Dwelling Unit

Detached Accessory Dwelling Unit

As provided in CGS Section 8-2o, the Town of Watertown opted out of statutory provisions related to accessory apartments on December 1, 2022.

4. **With Regard To The Accessory Dwelling Unit** -
   a. The floor area of the accessory dwelling unit shall not exceed 1,000 square feet or fifty percent (50%) of the gross floor area of the principal building.
   b. The accessory dwelling unit shall not contain more than two bedrooms.

5. **For An Accessory Dwelling Unit Within Or Attached To The Principal Building** -
   a. At least one side of each dwelling unit shall be at or above grade.
   b. Each unit shall have separate entrances but the two separate doors shall not be permitted on the front façade of the building.
   c. In addition, an operable door on a common wall shall be provided from the living area of the principal dwelling unit to the living area of the accessory dwelling unit.
   d. No outdoor stairways serving the accessory unit on any floor other than the ground floor, shall be visible from a public street.

6. **For An Accessory Dwelling Unit Detached From The Principal Building** -
   a. The building containing the detached accessory dwelling unit shall comply with the minimum setback and bulk requirements of the District.

5.4. Planned Residential Development

A. Purpose

A Planned Residential Development (PRD) may be permitted by Special Permit and Site Plan approval where so indicated in Section 1.2.B of these Regulations, subject to the standards and procedures set forth in this Section for the purpose of providing alternative housing options in Watertown, consistent with the following objectives.

- Preserve the natural, scenic and ecologically important features of the Town's remaining undeveloped land.
- Encourage flexibility of design and development in such a way as to promote the most appropriate use of land, considering its particular topography, size, shape, soils, natural features, historic assets and other similar features, and to prevent soil erosion and water pollution.
- Preserve wetlands and otherwise control new developments so as to minimize hazards resulting from stormwater runoff and stream flooding.
- Provide the maximum land area for open space, park, and recreation purposes, including trails.
- Protect and preserve the semi-rural characteristics of the Town's residential areas.
- Facilitate the economical construction and maintenance of roads, utilities, and other public facilities in new developments.

B. Permitted Uses

The following uses may be permitted in a PRD subject to Special Permit and Site Plan approval in accordance with the requirements of Section 8.3 and Section 8.4 of these Regulations.

1. Only when served by public sewer and public water:
   a. Single-family detached dwellings.
   b. Single-family attached dwellings.
   c. Two-family dwellings.

2. Recreational areas for active recreation and sports and recreational facilities for use by residents of the development and their accompanying non-paying guests.

3. Open space, including conservation or park areas for passive recreation, park, horticultural gardening, conservation, and flood control, with no structures or changes in contour or natural surface of the land.

4. Agriculture.

5. Community centers or other recreational facilities intended solely for the use of residents of the PRD and their guests.

6. Other accessory uses permitted in the underlying Zoning District.

C. Lot and Floor Area Requirements

1. The maximum number of dwelling units permitted in a PRD shall be determined by multiplying the total acreage of the site by the appropriate base density factor as indicated by the following table and rounding the result to the nearest whole number except that, when affordable housing units will be provided, the maximum number of dwelling units permitted may be increased by a factor of 1.4 from the maximum base density provided that at least half of the units allowed above the base density amount shall be deed-restricted in accordance with Section 5.4.G.

	Maximum Base Density	Maximum Density With Affordable Units
R-90	0.4 units/acre	0.56 units/acre
R-70	0.6 units/acre	0.84 units/acre
R-30	1.3 units/acre	1.82 units/acre
R-12.5	3.2 units/acre	4.48 units/acre
R-G	5.8 units/acre	8.12 units/acre

Hypothetical

A 30-acre site in the R-30 Zone might have base potential for up to 39 units (30 x 1.3 units/acre) provided adequate water and sewerage is available. If the applicant chose to include affordable units, the site might have potential for up to 55 units (30 x 1.3 units/acre base density factor x 1.4 affordable housing factor) provided adequate water and sewerage is available. Half of the additional units above the base would need to be deed-restricted as affordable (55 possible units minus-39 base units = 16 additional units with 8 affordable units). In the overall development, there would be 47 market rate units and 8 deed-restricted affordable units.

2. Single-family attached dwellings and two-family dwellings shall be setback a minimum of 150 feet from any property line on the perimeter of the site abutting residentially zoned land and along the main public road frontage, except where such property line shall abut another PRD site or multi-family development. The Commission may permit a lesser setback where severe topography, water bodies, or other unique physical conditions create a suitable separation of sites.

3. Around the perimeter of the proposed PRD, yard setbacks for single-family detached dwellings shall be the same as the underlying zoning district.

4. Within the PRD:
   a. Principal buildings shall be separated by at least twenty feet (20').
   b. Front yard principal building setback shall be a minimum of 20 feet.

5. Maximum building height shall be 35 feet.

D. Open Space Requirements

1. An open space area including recreational areas, conservation areas, and park areas, shall be provided equal to or greater than the difference between the total area of the lots which could be developed under conventional zoning and the total area of the lots proposed under PRD provisions. A minimum of 35% of the total parcel area shall be established for open space, preferably in one continuous parcel exclusive of parking areas, driveways, access roads, or other impervious surfaces.

2. Not more than 10% of the open space shall be a designated wetland. Only areas containing a minimum of one acre with a minimum dimension of 100 feet shall qualify as open space.

3. The location of any open space shall reflect consideration of open space systems which are designated in the Town Plan of Conservation and Development, desirable watercourses and wetlands, the presence of unique natural features, access to and use of such space, and restrictions and conditions regarding its usage.

4. The open space area shall be noted on the plan as “Reserved for Open Space Purposes".

E. Control of Open Space

1. Land marked "Reserved for Open Space Purposes" on the plan shall be maintained as open space in perpetuity, either by donation to a non-profit conservation organization acceptable to the Commission; by donation to and acceptance by the Town for use as park land; or by ownership by a property owners’ association. If the open space is to be owned by an association of property owners, as a condition of approval of the PRD by the Commission, a document acceptable to the Commission's legal counsel shall be filed by the applicant in the Office of the Town Clerk, which document:
   a. Shall establish an association of property owners to maintain the land reserved for open space purposes, with power to assess the members for all necessary costs;
   b. Shall be binding on all future owners;
   c. Shall be perpetual;
   d. Shall not be affected by any change in zoning or land use;
   e. Shall assure appropriate maintenance of the reserved land;
   f. May be enforced by adjoining property owners or the Town by appropriate court action; and
   g. Shall provide that if maintenance, preservation, or use of the open space no longer complies with the provisions of the document, the Town may take all necessary action to assure compliance and assess against the association all costs incurred by the Town for such purposes.

F. Additional Design Requirements:

1. All buildings shall be located on the site so as to retain the existing topography and natural features of the land to the greatest extent possible. An overall architectural theme or style shall be established for all dwellings and accessory structures to assure an overall harmony of roof lines, sizes, facades, materials, and colors.

2. The Commission may permit a PRD wherein the land and common facilities shall be under single common ownership, in which case individual lots and yards shall not be required; however, no structure shall be within 30 feet of another structure nor closer than 20 feet to a road.

3. All lots and dwelling units shall be oriented towards the common open space, which shall serve as the focal point of the PRD.

4. A maximum of six dwelling units shall be attached by common walls, breezeways, porches, decks, or other structural or architectural features.

G. Affordability Provisions

Affordable housing units, when provided, shall conform to the following:

1. The affordable units in the development shall be deed-restricted to remain affordable to households earning 80% or less of the area median income for at least 40 years unless modified by the Commission in favor of an alternate approach that addresses such housing needs (such as a lower percentage of units that will result in a higher number of housing unit equivalent points as described in CGS Section 8-30g(l)(6), a longer period of restrictions, etc.).

2. Any development containing affordable units shall submit a housing affordability plan in accordance with Section 5.26 detailing how the affordable housing units will be established and managed over time. Such plan shall be in accordance with any standard requirements adopted by the Commission and the Commission may reserve the right to approve any proposed administrator of such affordability plan.

3. The deed restrictions shall be in accordance with any standard restrictions adopted by the Commission.

5.5. Multi-Family Dwellings

A. Purpose

Where permitted by these Regulations, multi-family dwelling developments shall comply with this Section in addition to the general requirements of Section 8.3 (Site Plan Application) and Section 8.4 (Special Permit Application).

B. Site Development

1. All multi-family residential developments shall have a minimum parcel size and a maximum density based on the calculation of developable land (total parcel area minus any land categorized as wetland, watercourse, slopes greater than 25%, or 100-year floodplain:

	Minimum Parcel Size	Maximum Density
R-20	10.0 acres	3.25 dwelling units per acre
R-12.5	7.5 acres	5.25 dwelling units per acre
R-10	5.0 acres	6.50 dwelling units per acre
R-G	3.0 acres	10.00 dwelling units per acre

2. All multi-family residential developments shall be served by public sewer, public water supply, and fire hydrants to the specifications of the Fire Marshal. All electric, telephone, and other cable supplied services shall be installed underground.

3. Each residential unit shall have a private outside space of at least 50 square feet, such as a terrace, deck, patio, or courtyard adjoining and directly accessible to the residential unit.

4. No provision of these Regulations, including any maximum-density or minimum-lot-area-per-dwelling-unit standard in this Section or in the business-district provisions of Section 2.5, shall be applied to place a fixed numerical or percentage cap on the total number of dwelling units that constitute multifamily housing of more than four units, transit community middle housing development, or mixed-use development that may be permitted in the Town. Such density and lot-area standards shall be administered as lot-specific dimensional requirements only.

C. Site Features

1. Existing features of the site which are of value for the development or to the Town as a whole, such as trees, watercourses, and similar irreplaceable assets, shall be preserved as far as possible through harmonious design and placement of the buildings, driveways, walkways, and parking facilities.

2. All disturbed areas shall be suitably graded and landscaped with consideration given to its effectiveness at all seasons of the year.

D. Architectural Design

1. The architectural design, scale and mass of buildings and other structures, including exterior building materials, colors, roof lines, and building elevations, shall be residential in characteristics so as to harmonize with, and preserve the appearance of the surrounding residential area. There shall be no mechanical equipment, except solar collectors, on the roofs visible from the ground. Mechanical equipment and refuse containers shall be screened from view on all sides.

2. Buildings shall be designed for maximum solar access, preferably with an east-west orientation, and grouped in such a manner as to provide adequate light, air, ventilation, and privacy for all habitable rooms.

E. Recreational Facilities

1. The recreation area shall be of such grade and dimensions that the space shall be readily usable for same and shall be convenient to building entrances and planned in proper relation to buildings and other features, both on and off-site.

2. In addition to the required private open space, at least 600 square feet of lot area per dwelling unit shall be allocated for outdoor recreational use; at least 75% of the area shall not exceed a grade of 10%, nor be identified as inland wetlands; and no dimensions shall be less than 40 feet. The areas allotted for outdoor recreational use shall be shown on the Site Plan, as well as the nature and type of recreation and facilities to be provided.

F. Parking and Vehicle and Pedestrian Access

1. Except as provided in the Statutory Limitations subsection of Section 6.2, A minimum of one garaged space per unit shall be provided. All garages shall be fully enclosed and have a minimum width of 10 feet and minimum depth of 20 feet per parking space.

2. Major access roads, within the development, shall have a minimum pavement width of 20 feet. For dead-end streets within the development, turnarounds shall be provided. All driveways and access roads shall be set back 20 feet from all property lines.

3. Driveways shall be arranged in a suitable and convenient traffic-pattern and adequately graded, drained and maintained in all seasons to accommodate traffic and to afford satisfactory access to police, fire-fighting and snow removal equipment.

4. Walkways shall be arranged in a suitable and convenient manner and shall be adequately surfaced, drained, and maintained in all seasons.

5. No parking shall be permitted in the required front yard. All parking shall be screened from view from the public street in accordance with the standards of Section 6.3.

6. Garage aprons and other parking spaces in tandem shall not be counted towards satisfying the minimum parking requirement.

5.6. Child Care

For Adult Care facilities, see the use tables in Section 1 to 3 and Section 5.25.

A. General

1. As provided by CGS Section 8-3j(a), no zoning regulation shall treat any family child care home or group child care home, located in a residence and licensed by the Office of Early Childhood pursuant to CGS Chapter 368a, in a manner different from single or multifamily dwellings.

B. Supplemental Standards

Child care centers shall be subject to the following provisions as well as applicable standards under Section 8.3 and Section 8.4:

1. A child care center shall be licensed by the Office of Early Childhood pursuant to CGS Chapter 368a.

2. If located in a Residential District, a child care center shall not exceed 12 children unless the facility is an adjunct to an existing public or private school, church or place of religious worship, convalescent home, or non-profit membership club, lodge, or community house.

3. The facility shall be served by public water supply and sanitary sewers and shall be provided with one (1) off-street parking space for each staff person and each consultative person expected to be on premises.

4. There shall be safe and adequate provision for boarding and off-boarding children from motor vehicles without hazards to pedestrians and traffic.

5. In addition to the general intent of plan review under Section 8.3 and Section 8.4, the use shall be located in a building and on a lot having such size, shape, landscaping, outdoor play yard space, and parking as to be in harmony with and conform to the characteristics of the neighborhood.

5.7. Retail Uses Exceeding 20,000 Square Feet

A. Purpose

Retail uses exceeding 20,000 SF in gross floor area, including outside display area, if any, shall comply with the following provisions and standards.

B. Pedestrian Access

1. In addition to compliance with Section 6.10 of these Regulations (Accessibility for People and Bicycles), sidewalks shall be provided along the front of the property to the main entrance to the building. The applicant must submit evidence of consent required from the Town of Watertown and/or State of Connecticut for construction of sidewalks within the respective rights-of-way. The location of sidewalks shall be consistent with existing sidewalks (if any) within one hundred (100) feet of the property.

2. The applicant shall provide a study estimating the number of trips to the business by pedestrians on an average day and during an average week. If the study shows that pedestrian access will be less than ten percent (10%) of the total access, the applicant shall submit a plan for increasing pedestrian access to ten percent (10%) of the site or construction of additional sidewalks to the site. The Commission may waive this requirement where such sidewalks cannot be provided.

C. Window Space

At least thirty-five percent (35%) of the front of the building shall include windows. No more than five percent (5%) of the total window space shall be in a single area of the front of the building, excluding doors.

D. Landscaping

In addition to landscaping requirements of Section 6.3, the following landscaping standards shall be required:

1. Parking lots shall be screened from the street by a) a ten (10)-foot wide landscaped low ground berm or b) a four (4) foot high hedge or fence. Such screening shall be located along the street line.

2. Service yards, refuse storage areas, and parking areas shall be screened to preserve the street-scape in the neighborhood. Such screening shall include trees, shrubs, lawns, ornamental fencing, walks, brick, stone, cobbles, and gravel where appropriate.

E. Parking

All parking shall be on ground level or below and parking shall be on the side or rear yard. The Commission may waive this parking location requirement in special circumstances where parking cannot be provided in the side or rear yard.

F. Traffic

The application shall include a traffic study for any retail business that exceeds 20,000 SF, including outside display area, if any, that shall include an analysis of the traffic impact on all local residential streets within one mile radius of the site and general traffic circulation resolution within a two (2) mile radius of the site.

G. Economic Impact

The application shall include an economic impact study for the retail business that exceeds 20,000 SF showing that the proposed use is consistent with the Plan of Conservation and Development which calls for the strengthening of Main Street as the business center of the Town and discourages further strip development along Straits Turnpike. Such study shall determine whether the proposal is likely to have an impact on existing stores on Main Street and whether it will serve unmet needs.

5.8. Motor Vehicle Fueling and Repair Facilities

Where permitted by these Regulations, motor vehicle fueling stations, service stations, and motor vehicle repair facilities shall comply with the general requirements of Section 8.3 (Site Plan Application) and Section 8.4 (Special Permit Application) and the following provisions:

1. Motor vehicle service stations shall have a limited repairer's license issued by the State. Motor vehicle repair facilities shall have a limited repairer's license or a general repairer's license issued by the State.

2. All maintenance, repair, and automobile washing shall be conducted within an enclosed building.

3. Any Certificate of Location Approval required by CGS Section 14-54 or Section 14-321 shall be obtained from the Zoning Enforcement Officer.

5.9. Automobile Dealerships

A. Expansion Of Existing Automobile Dealerships

This Section of the Regulations applies to the expansion or improvement of motor vehicle dealerships in existence as of September 15, 2005.

1. There shall be landscaped island buffers at least 10 feet in width, except for clearly defined lanes of ingress and egress, along the street in front of the dealership. Such buffer shall be measured from the edge of pavement of the road, or such line further back as is required by the highway authority having jurisdiction. Edge of pavement shall mean the outer edge of the shoulder of the street. The buffer shall be planted with an attractive ground cover of grass and shrubs as approved by the Commission, but may include a sidewalk. Only plantings and sidewalks shall be within buffers.

2. No fence shall be constructed along the street frontage, except in the rear or side yards of the dealership abutting a street and then not within 10 feet of street lines, not higher than 6 feet, and only for the purpose of providing security to the property.

3. No side yard buffer shall be required where the immediately adjoining property is also an existing new car sales business. Where other businesses directly abut a side yard a 5 foot side yard buffer shall be maintained, except a 25 foot buffer shall be required where abutting a Residential District.

4. No rear yard buffer shall be required when and where the property abuts a new car automobile dealership. Wherever a rear yard abuts another non-residential use a 5 foot buffer shall be maintained and wherever a rear yard abuts a Residential District a 25 foot buffer shall be required.

5. Side and rear yard buffers where required shall be planted with grass and such shrubs as shall be acceptable to the Commission.

6. The maximum coverage requirements shall be as follows.
   a. Maximum impervious surface coverage may be 100%, except for buffer areas, and except that if new land is added the maximum coverage on such new area will be 80% of such area;
   b. Maximum building coverage shall be 30% except such coverage may be increased to 45% to include expanded service areas as shall be acceptable to the Commission; and
   c. Maximum floor area ratio shall be 60%.

7. Inventories of new and used automobiles may be stored outside or within a garage or other structure.

8. The minimum parking requirements of Section 6.2 shall not apply to new car automobile dealerships that exist on September 15, 2005.

9. The minimum parcel size shall not apply to new car automobile dealerships that exist on September 15, 2005, so long as the parcel is not thereafter reduced in lot area.

10. The minimum setbacks shall be as provided for the B-SC District in Section 2.4 except as follows.
    a. Rear yard for building shall be 15 feet or when abutting a Residential District, 75 feet.
    b. Side yard for building shall be 15 feet or, when abutting a Residential District, 75 feet.
    c. Side and rear yard for parking and loading areas shall be 5 feet each or, when abutting a residential district, 25 feet each.
    d. Front yard for parking and loading areas shall be 10 feet from the edge of road pavement.

11. All outdoor area lighting shall be located at a height not more than 16 feet above ground level and shall be so directed that no source of illumination shall be visible beyond the lot line. Existing poles must be retrofitted to full cut off fixtures. Notwithstanding the foregoing, lighting may be located on lighting poles that are up to, but no higher than, 30 feet from ground level, but only if a photometric map and glare and view shed analysis indicate to the satisfaction of the Commission that higher light poles are warranted.

12. All Special Permit applications by new car automobile dealerships existing on September 15, 2005 must comply with the provisions in Section 6.1 with respect to new signs. Signs existing on September 15, 2005, however, may remain even if not in compliance, but shall be ultimately brought into compliance by reducing the non- conformity by at least 10% each time the sign is replaced. In addition no new car sales business sign shall exceed 48 square feet in area. The ZEO may approve temporary signs used in the ordinary course of business for periods not exceeding 10 consecutive days and totaling no more than 30 days in any calendar year.

13. If a new car automobile dealership existing on September 15, 2005, acquires land in one or more conveyances totaling cumulatively one acre or more, and said new parcel directly abuts the parcel on which the dealership is located, any application for Special Permit approval of a new car automobile dealership shall be subject to the provisions of Section 5.9.B. This Section 5.9.A shall continue to apply to the original parcel and any additions thereto which are less than one acre.

B. Establishment Of New Automobile Dealerships

This Section of the Regulations applies to establishment, expansion, or improvement of a motor vehicle dealership after September 15, 2005 on a parcel of land where no automobile dealership existed on said date.

1. There shall be landscaped island buffers at least 20 feet in width, except for clearly defined lanes of ingress and egress, along the street in front of the dealership. Such buffer shall be measured from the property line. The buffer shall be planted with an attractive ground cover of grass and shrubs as approved by the Commission, but may include a sidewalk. Only plantings and sidewalks shall be within the buffer.

2. No fence shall be constructed along the street frontage, except in the rear or side yards of the dealership abutting a street and then not within 10 feet of property lines, not higher than 6 feet, and only for the purpose of providing security to the property.

3. No side yard buffer shall be required where the immediately adjoining property is also a new car sales business. Where other businesses directly abut a side yard a 10-foot side yard buffer shall be maintained, unless the Commission in its discretion permits a reduced buffer. A 25-foot buffer shall be required where abutting a Residential District.

4. No rear yard buffer shall be required when and where the property abuts a new car automobile dealership. Wherever a rear yard abuts another non-residential use, a 10-foot buffer shall be maintained and wherever a rear yard abuts a Residential District, a 25-foot buffer shall be required.

5. Side and rear yard buffers where required shall be planted with grass and such shrubs as shall be acceptable to the Commission.

6. The maximum coverage requirements shall be as follows.
   a. Maximum impervious surface coverage shall be 80%.
   b. Maximum building coverage shall be 30%;
   c. Maximum floor area ratio shall be 50%.

7. Inventories of new and used automobiles may be stored outside or within a garage or other structure.

8. The minimum parking requirements of Section 6.2 shall not apply to new car automobile dealerships.

9. The minimum setbacks shall be as provided for the B-SC District in Section 2.4 except as follows:
   a. Front yard for buildings shall be 50 feet from the property line, except in the case of an interior lot the Commission may in its discretion approve a reduced set back.
   b. Side yard for buildings shall be 20 feet from the property line or, when abutting a Residential District, 75 feet.
   c. Side and rear yard for parking and loading areas shall be 10 feet each from the property line or, when abutting a Residential District, 25 feet each.
   d. Front yard for parking and loading areas shall be 25 feet from the property line.

10. All outdoor area lighting shall be located at a height not more than 16 feet above ground level and shall be so directed that no source of illumination shall be visible beyond the lot line and have full cutoff fixtures. Notwithstanding the foregoing, lighting may be located on lighting poles that are up to, but no higher, than 30 feet from ground level, but only if a photometric map and glare and view shed analysis indicate to the satisfaction of the Commission that higher light poles are warranted.

11. All Special Permit applications for new car automobile dealerships must comply with the provisions in Section 6.1 with respect to signs. In addition, no new car sales business sign shall exceed 48 square feet in area. The ZEO may approve temporary signs used in the ordinary course of business for periods not exceeding 10 consecutive days and totaling no more than 30 days in any calendar year.

12. Unless specifically authorized by the Commission, all repair and service work (including car washing) shall be conducted entirely within an enclosed building.

13. Unless specifically authorized by the Commission, storage of damaged vehicles shall be inside building or in a location fully screened from the street and abutting properties.

5.10. Self-Storage Facilities

A. Indoor Self-Storage

Where permitted by Special Permit and Site Plan approval, indoor self-storage facilities shall comply with the following provisions and standards in addition to the standards and provisions of Section 8.4.

1. **Access** - Indoor self-storage facilities shall be accessed from a common indoor hallway.

2. **Application Requirements** - Application for Special Permit for an indoor self-storage facility shall include a statement of use, together with a floor plan or layout of the storage facility.

3. **Eligibility** - Structures in existence for a minimum of twenty (20) years only are eligible for approval under this Section.

4. **Prohibitions** - The owner/landlord shall maintain with the ZEO a copy of the current lease agreement, in which there shall be a prohibition against the storage of any hazardous or toxic materials as may be defined periodically by the CT-DEEP.

B. IR-200 Zone

Where permitted by site plan approval in the IR-200 zone, a self-storage facility shall comply with the following provisions and standards:

1. **Prohibitions** - The following uses shall be prohibited:
   a. Commercial, wholesale, or retail sales; or miscellaneous or garage sales.
   b. The servicing, repair, or fabrication of motor vehicles, boats, trailers, lawn mowers, appliances, or other similar equipment.
   c. The operation of power tools, spray- painting equipment, table saws, lathes, compressors, welding equipment, kilns, or other similar equipment.
   d. The establishment of a transfer and storage business.
   e. Any use that is noxious or offensive because of odors, dust, noise, fumes, or vibrations.
   f. Outside storage of automotive vehicles of any kind or condition.

2. **Standards** -
   a. The owner/landlord shall maintain with the ZEO a copy of the current lease agreement, in which there shall be a prohibition against the storage of any hazardous or toxic materials as may be defined periodically by the CT-DEEP.
   b. Outside storage is limited to recreational vehicles and boats on trailers only. Any such stored vehicle, boat or trailer shall be in operable condition.
   c. Outside storage is subject to the Landscaping, Screening, and Buffering provisions of Section 6.3 of the Regulations.

5.11. Outdoor Storage

1. Outdoor storage is allowed for:
   a. Processes secondary to the primary manufacturing use of the site.
   b. Short term storage of materials or goods related to the primary use of the site.
   c. Storage of landscape material as part of a retail or wholesale landscape or horticultural business.

2. As part of the review process, the applicant shall provide an operating plan, indicating types of materials or processes to be carried out on the property with estimates of the volume of materials, and or extent of processes.

3. Outdoor storage of waste or junk material is expressly not allowed.

4. Any outdoor storage or process shall not cause any contamination or pollution to the ground, surface water or groundwater. Any outdoor storage activity with potential for pollution or contamination shall occur within an area that is covered and not exposed to the elements and provided with a containment system to collect such pollutants.

5. Nothing in this section shall preclude the Planning and Zoning Commission from imposing, additional or stricter conditions, pertaining to design, screening, buffering, or any matter necessary to protect adjacent property.

6. Truck trailers and shipping containers are temporary structures to be removed after 10 days.

5.12. Adult Uses

A. Purpose

The intent of this Section is to regulate uses which have been proven to adversely affect neighborhood children, community improvement efforts, retail trade, and commercial and residential property values, particularly when several of such uses are concentrated in a small area of the community. The primary purposes of this Section are to prevent a concentration of these uses in any one area, to minimize any adverse impacts, and to protect and preserve the quality of Watertown's neighborhoods/commercial districts, and the quality of urban life through effective land use planning. Uses permitted in accordance with this Section and the provisions and standards of may be permitted by Special Permit (Section 8.4) and Site Plan (Section 8.3) approval in the B-G1 District.

B. Definitions

ACCESSORY ADULT USE - An establishment having less than 10% of its stock in trade in books, magazines, videotapes, adult materials used for sexual stimulation or display, films for sale or rent or for viewing on premises by use of motion picture devices or any other coin operated means, and other printed materials which are distinguished or characterized by their emphasis on matter depicting or relating to "Specified Sexual Activities" or "Specified Anatomical Areas".

ADULT BOOKSTORE - An establishment having more than 10% of its stock in trade, books, magazines, adult materials used for sexual stimulation or display or films for sale or viewing on premises by use of motion picture devices or any other coin operated means, and other periodicals which are distinguished or characterized by their emphasis on matter depicting or relating to "Specified Sexual Activities" or "Specified Anatomical Areas".

ADULT ENTERTAINMENT CABARET - A public or private establishment which is licensed to serve food and/or alcoholic beverages, which features topless dancers, strippers, male or female impersonators, or similar entertainers, or acts relating to "Specified Sexual Activities" or "Specified Anatomical Areas" for observation by patrons therein.

ADULT MINI-MOTION PICTURE THEATER - An enclosed building with a capacity for less than 50 persons used regularly and routinely for presenting materials having as a dominant theme material distinguished or characterized by an emphasis on matter depicting, describing or relating to "Specified Sexual Activities" or "Specified Anatomical Areas" for observation by patrons therein.

ADULT MOTION PICTURE THEATER - An enclosed building with a capacity for 50 or more persons used regularly and routinely for presenting motion picture films, video cassettes, cable television, or any other such visual media, distinguished or characterized by an emphasis on matter depicting, describing or relating to "Specified Sexual Activities" or "Specified Anatomical Areas" for observation by patrons therein.

ADULT PHYSICAL CULTURE ESTABLISHMENTS - An establishment, club, or business by whatever name designated which offers or advertises or is equipped or arranged so as to provide as part of its services, massages, body rubs, alcohol rubs, baths or other similar treatment to members of the opposite sex, except for activities which are excluded below and therefor are not an adult physical culture establishment:

- Treatment by a licensed chiropractor, a licensed osteopath, a Connecticut licensed masseur or masseuse, a licensed practical nurse or a registered professional nurse;
- Electrolysis treatment by a licensed operator of electrolysis equipment;
- Hospitals, nursing homes, medical clinics or medical offices;
- Barbershops or beauty parlors which offer massage to the scalp, the face, the neck or shoulders only;
- Athletic facilities of an educational institution including alumni club, or of a philanthropic or charitable institution; and
- Health establishments including commercial and non-commercial clubs, which are equipped and arranged to provide instruction, services, or activities which improve or affect a person's physical condition by physical exercise or by massage. Physical exercise programs include aerobics, martial arts or the use of exercise equipment.

ADULT VIDEO STORE - An establishment having more than 10% of its stock in trade, videotapes or films for sale or rent or for viewing on premises by use of motion picture devices or any other coin operated means, and other printed materials which are distinguished or characterized by their emphasis on matter depicting or relating to "Specified Sexual Activities" or "Specified Anatomical Areas".

SPECIFIED ANATOMICAL AREAS - Less than completely and opaquely covered:

- human genitals, pubic region;
- buttock;
- female breast below a point immediately above the top of the areola; and/or
- human genitals in a discernibly turgid state even if completely and opaquely covered.

SPECIFIED SEXUAL ACTIVITIES -

- human genitals in a state of sexual stimulation arousal;
- act of masturbation, sexual intercourse, or sodomy; and/or
- fondling or other erotic touching of human genitals, pubic region, buttock, or female breast.

C. Exemptions

Nothing in this Section shall prohibit the following uses and activities.

1. Treatment by a licensed chiropractor, a licensed osteopath, a Connecticut licensed masseur or masseuse, a licensed practical nurse, or a registered professional nurse.

2. Electrolysis treatment by a licensed operator of electrolysis equipment.

3. Hospitals, nursing homes, medical clinics, or medical offices.

4. Barbershops or beauty parlors which offer massage to the scalp, the face, the neck, or shoulders only.

5. Athletic facilities of an educational institution including alumni club, or of a philanthropic or charitable institution.

6. Health, establishments including commercial and non-commercial clubs, which are equipped and arranged to provide instruction, services, or activities which improve or affect a person's physical condition by physical exercise or by massage. Physical exercise programs include aerobics, martial arts, or the use of exercise equipment.

D. Regulated Uses

Regulated uses refer to all adult uses as defined in this Section and include, but are not necessarily limited to, the following.

1. Adult bookstores.

2. Adult entertainment - cabarets.

3. Adult mini-motion picture theaters.

4. Adult motion picture theaters.

5. Adult video stores.

E. Separation Requirements

All regulated uses identified in Section 5.12.D shall be permitted subject to the following separation restrictions:

1. No adult use shall be allowed within 1,000 feet of another existing adult use.

2. No adult use shall be located within 800 feet of any residentially zoned land.

3. No adult use shall be located within 1,000 feet of any public or private school, church or place of worship, public park, or public building.

F. Sign and Exterior Display Requirements

No adult uses shall be conducted in any manner that permits the observation of any material depicting, describing, or relating to "Specified Sexual Activities" or "Specified Anatomical Areas", from any public way or from any property not registered as an adult use. This provision shall apply to any display, decoration, sign, shop window, or other opening.

G. Prohibited Uses

Adult physical culture establishments are not permitted in any District.

5.13. Conversion to Limited Professional Office Use

A. Purpose

Conversion to limited professional office use may be permitted by Special Permit and Site Plan approval in the R-70 District to allow appropriate reuse of buildings previously used for Special Permit uses.

B. Standards

Conversion of an existing building from a Special Permit use to limited professional office use shall comply with the following:

1. The existing building must have been used as a Special Permit use for not less than 10 years before applying for conversion.

2. The existing building shall never have been used for residential use.

3. Professional office use shall be limited to the property owner or owner's immediate family.

4. The floor area of the building cannot exceed 2,000 Sq. Ft. floor area.

5. The sign must conform to applicable requirements of Section 6.1 and:
   a. Shall not exceed six square feet in area;
   b. Shall not be internally illuminated; and
   c. Any lighting shall be shielded to illuminate the sign only.

6. The Commission may restrict the time of illumination and wattage of any illumination.

7. On-site parking shall conform to the applicable provisions of Section 6.2.

8. The use must meet all other requirements of the R-70 District.

5.14. Conversion of Existing Industrial Buildings

A. Purpose

Where permitted in the B-G1 District by Special Permit and Site Plan approval, the conversion of existing industrial buildings shall comply with the following standards in addition to the standards and provisions of Section 8.4 for the purpose of ensuring appropriate reuse of certain industrial buildings no longer suitable for originally intended uses.

B. Requirements

1. To qualify for conversion subject to this Section, an industrial building shall
   a. Have been erected before 1950 and have more than one story;
   b. Be served by a public-water supply and sanitary sewer; and
   c. Be of a functional design no longer considered efficient by contemporary standards for manufacturing uses but suitable with proper safeguards and appropriate standards for conversion to office, retail, and/or residential use.

2. The Commission shall determine that the existing building and its environs will be suitable for multi-family, retail, and/or office conversion and will not adversely impact the characteristics of the existing area nor be adversely impacted by the existing area characteristics.

C. Uses Permitted

A building qualified for conversion in accordance with Section 5.14.B above may be converted to any of the following purposes:

1. Residence dwelling units, none of which shall be permitted to be located below ground level, subject to the following standards.
   a. Minimum lot area per dwelling unit (Areas occupied by lakes, rivers or wetlands shall not be included in the lot area calculation): 2,000 SF
   b. Minimum Usable Open Space per dwelling unit: 250 SF
   c. Except as provided in the Statutory Limitations subsection of Section 6.2, minimum Off-Street Parking Spaces: 2 spaces per dwelling unit
   d. All active recreation areas shall not be less than 10 feet from any building or less than 10 feet from any lot line.
   e. Parking areas and driveways shall be adequately lighted in conformance with Section 6.4.

f. Stairways leading to the second or any higher floor shall be located within the walls of the building. Fire escapes shall be located on the rear wall in preference to either side wall and in no case on a front wall or side wall facing a street.
g. Separate entrances, stairways, and/or elevators shall be provided for residents as distinct from any office use in a building to be converted to joint usage.
h. Refuse collection areas shall be established and conveniently located for all users. The collection areas shall be properly screened with covered receptacles.
i. All buildings, structures, and off-street parking areas shall be provided with suitable landscaping, including screening, and/or walls or fencing, as required by Section 6.3.

2. Offices and studios of doctors, dentists, architects, artists, designers, accountants, lawyers, engineers, tutors, real estate and insurance agents, brokers, and members of other recognized professions (excluding veterinarians, barber shops, beauty and massage parlors, and other similar uses), together with incidental laboratory and mechanical equipment; government offices; and offices of charitable; philanthropic organizations and corporate headquarters. All such offices shall meet the following standards.
   a. No storage of a stock in trade or sale of commodities on the premises.
   b. No visits by the general public as purchasers of goods or as customers, as distinguished from patients or clients.

3. Retail uses subject to the following.
   a. Retail uses shall be limited to those permitted in the underlying zone and subject to the provisions thereof.
   b. Retail uses shall be limited to ground floor location.
   c. Offices and/or residences may be permitted on floors above retail use.

D. Additional Construction Permitted

Additional dwelling units and/or offices may be permitted by the Commission as part of a Special Permit and Site Plan approval subject to compliance with all applicable standards and with the following:

1. The number and type of dwelling units shall be in accordance with the provisions Paragraph 5.14.C.1 above;

2. The addition shall not exceed 50% of the GFA of the existing building;

3. The addition shall conform to all other zoning requirements of the zoning district which it is located; and

4. The addition shall be compatible architecturally and in scale to the existing building.

5.15. Telecommunications Facilities

A. Purpose

When subject to Town Zoning authority, telecommunications facilities shall conform to the following standards. When location and development of such facilities are subject to State or Federal authority superseding Town authority, the following standards shall serve to guide any Town participation before any such authority.

B. Location Preference

The order of preference for facility locations shall be as follows.

- On existing structures such as buildings, smokestacks, water towers, and ground signs.
- On existing or approved towers.
- On new towers located on property occupied by one or more existing towers.
- On new towers in commercial and industrial districts.

C. General Requirements for All Applications

1. Each application shall include a map showing the following.
   a. The extent of planned coverage within the network of planned coverage in the service area and any or all overlap with the Town of Watertown.
   b. Approved locations of all other telecommunication sites in Watertown, including the applicant's sites.
   c. Existing towers owned/used by the applicant within one-quarter mile of Town's borders and closest network.
   d. The location and service area of the proposed telecommunication site.
   e. The search radius for the proposed telecommunications site.
   f. An intermediation study of existing emergency frequencies as specified by Town administration.

2. Each application shall provide an analysis of the availability of suitable existing towers and other structures including the following.
   a. A complete list of all facilities contemplated by the applicant or any associate thereof to be constructed within the Town of Watertown.
   b. A demonstration of whether and how each such facility will provide a seamless network of coverage within the Town.
   c. A showing of how applicant's plan will connect with networks in neighboring towns so as to provide such a seamless network.

3. Each application shall provide the following additional information where applicable.
   a. A plan showing where and how the proposed antenna(s) will be affixed to a particular building or structure.
   b. Details of all proposed antenna(s) and mounting equipment including size and color.
   c. Elevations of all proposed -physical shielding and details of materials including color.
   d. An elevation of all proposed equipment buildings/structures with details of all proposed fencing including color.
   e. All proposed landscaping with list of plant material.

4. All applications for new towers shall include a site plan showing the following.
   a. Height of the proposed tower.
   b. Proximity of the tower to residential structures and residential district boundaries.
   c. Nature of uses on adjacent and nearby properties.
   d. Surrounding topography within 1,000 feet at interval not exceeding five feet based on town datum.
   e. Design of the tower, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness.
   f. A design drawing including cross section and elevation of all proposed towers
   g. A topographic profile showing the proposed tower and its associated equipment from adjoining properties.
   h. Proposed ingress and egress.

5. In all cases in which the Commission feels that a peer review of the applicant's service area, tower sharing, or other technical issues is warranted, the applicant shall be required to reimburse the Town for the cost of the peer review. This payment shall be made to the Town prior to the decision by the commission on the application.

6. No proposed commercial wireless telecommunication site shall be designed, located, or operated as to interfere with existing or proposed public safety communications.

D. Requirements for Telecommunication Towers and/or Antennas

1. All telecommunication facilities such as towers and or antennas shall be permitted in all Zoning Districts by Special Permit and Site Plan approval in accordance with Section 8.3 and Section 8.4 of the Zoning Regulations and in conformance with the standards of this Section.

2. In addition to the applicable information required by Section 8.3 and Section 8.4, applications shall provide the following.
   a. Documentation of efforts to find a location in a nonresidential zone; and
   b. Documentation of efforts and measures taken to pursue preferences a, b, and c in Section 5.15.B and explanation for why a higher preference location was not technologically, legally or economically feasible, including an evaluation of the following:
      1) the planned equipment would cause unacceptable interference with the operation of other existing or planned equipment on an existing or approved tower as documented by a qualified licensed engineer and that the interference cannot be prevented or eliminated at a reasonable cost. In addition, a description of the efforts and measures taken to pursue preferences;
      2) the planned equipment cannot be accommodated on existing or approved towers due to structural deficiencies as documented by a qualified licensed engineer and that such deficiencies cannot be eliminated at a reasonable cost;
      3) the existing or planned equipment on an existing or approved tower would cause unacceptable interference with the equipment proposed by the applicant as documented by a qualified licensed engineer and that the interference cannot be prevented or eliminated at a reasonable cost; and
   c. Any restriction or limitation imposed by the FCC.

3. In addition to a review of all the information provided by the applicant, the commission shall consider the following in acting on the Special Permit.
   a. Height of the proposed tower.
   b. Proximity of the tower to residential structures and residential district boundaries.
   c. Nature of uses on adjacent and nearby properties.
   d. Surrounding topography.
   e. Design of the tower, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness and the effect of reducing or eliminating visibility from public roads or adjoining property.
   f. Proposed ingress and egress.
   g. Availability of suitable existing towers and other structures as discussed in this regulation.
   h. Radio and television interference in residential zones.

4. The Commission may require that applicants provide simulations of tower locations and impacts as part of the review of a Special Permit application. Such simulations may entail the erection of balloons or other devices, necessary to visualize the proposed facility.

E. General Standards for Towers

1. No signs shall be permitted on any tower or antenna.

2. No lights or illumination shall be permitted unless required by the FCC or FAA.

3. Towers shall be surrounded by a fence or wall not more than six (6) feet in height; type to be determined by the Commission. If barbed wire is included in the fence, it shall be within the six (6) feet height limit. All telecommunication structures shall be screened with appropriate landscaping.

4. Any proposed tower shall be designed in all respects to accommodate both the applicant's antennas and comparable antennas for least two additional users if the tower is over 100 feet in height or for at least one additional comparable antenna if the tower is over 50 feet in height and less than 100 feet. The commission may require the tower to be of such design as to allow for future rearrangement of antennas upon the tower and to accommodate antennas mounted at varying heights.

5. No new tower shall be permitted unless the applicant demonstrates to the reasonable satisfaction of the Commission that no existing tower or structure can or will accommodate the applicant's proposed antenna Evidence submitted to demonstrate that no existing tower or structure can accommodate the applicant's proposed antenna may consist of any of the following.
   a. No existing towers or structures are located within the geographic area required to meet applicant's engineering requirements.
   b. Existing towers or structures are not of sufficient height to meet applicant's engineering requirements.
   c. Existing towers or structures do not have sufficient structural strength to support applicant's proposed antenna and related equipment.
   d. The applicant's proposed antenna would cause electromagnetic interference with the antenna on the existing towers or structures, or the antenna on the existing towers or structures would cause interference with the applicant's proposed antenna.

F. General Standards for Equipment Buildings/Structures

1. Each building/structure shall not contain more than 750 square feet of gross floor area or be more than twelve (12) feet in height.

2. Each building/structure shall comply with the setback requirements for accessory buildings for the zone in which it is located.

3. If located on the roof of a building, equipment buildings/structures shall not occupy more than 15% of the roof area and shall be designed to blend with the color and design of the building to the extent possible. Such building or structure shall not cause the overall structure that it is mounted on to exceed the height requirement for the zoning district.

4. Any buildings that are constructed to service telecommunication facilities shall be constructed of materials consistent with the apparent structure and neighboring buildings as determined by the Commission.

G. Requirement for Structure or Rooftop Mounted Antennas

Structure or rooftop mounted panel and whip antennas, with an equipment building or equipment structures, shall be permitted by a Special Permit in all Zoning Districts, subject to the following.

1. Antennas shall not be attached to a one family to four family dwelling unit nor to an accessory building on a lot containing a one family to four family dwelling.

2. Antennas shall be of a material or color which matches the exterior of the building or structures.

3. If roof mounted, antennas shall not exceed a height of fifteen (15) feet above the highest part of the structure or building, and the height permitted in the Zoning district.

4. If facade mounted, antennas:
   a. Shall project not more than two (2) feet beyond the wall or facade of the structure and
   b. Shall not project more than five (5) feet above the cornice line.

5. All equipment buildings and/or structures shall be screened with appropriate landscaping.

6. Satellite and microwave dish antennas shall not exceed six (6) feet in diameter in industrial or commercial zones and two (2) feet in residential zones in diameter and shall be located or screened so as not to be visible from abutting public streets or neighboring properties.

H. Requirements for Telecommunication Towers

Towers with equipment buildings/structures shall be permitted by Site Plan and Special Permit approval in accordance with Section 8.3 and Section 8.4 and the following standards:

1. Towers shall be no taller than necessary to participate in the applicant's network and in no case shall exceed two hundred (200) feet.

2. Towers shall be a monopole unless otherwise approved by the Commission.

3. Towers shall be located a minimum of five hundred (500) feet from any residential structure located within a Residential District. Distance shall be measured from the base of the tower to the foundation of the residential structure.

I. Removal of Abandoned Towers and Antennas

1. A telecommunications site not in use for six (6) months shall be removed by the facility owner. This removal shall occur within ninety (90) days of the end of such six (6) month period. Upon removal, the site shall be restored to its previous appearance and where appropriate, re-vegetated.

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J. Co-utilization

In order to ensure the construction of a minimum number of these facilities, each such facility must be constructed in such a manner as to allow co-utilization of as much of such facility as possible by other vendors of telecommunication services.

K. Historic Districts and Scenic Views

No such facility shall be constructed in a designated historic district or on a building over 75 years old or in a scenic view as indicated in the Watertown Plan of Conservation and Development.

L. Radio or Television Reception or Transmission Facilities

Radio or television reception or transmission facilities shall be permitted in all Districts subject to Special Permit and Site Plan approvals in accordance with the requirements of Section 8.3 and Section 8.4 and subject to the conditions stated in this Section.

5.16. Wind Turbines

A. Standards

Wind turbines may be permitted by Special Permit as accessory structures subject to Section 8.3 and Section 8.4 approval and the following conditions.

1. Wind turbines are permitted where so indicated in these Regulations only for the primary purpose of generating electricity for the permitted principal use of the property.

2. Wind turbines may generate electricity to a maximum 10kw.

3. No more than one wind turbine shall be permitted per building lot.

4. The minimum setback from property lines for a wind turbine is twice the wind turbine height (i.e.. center of rotation of a vertical blade).

5. The maximum height of a wind turbine shall not exceed 55 feet.

6. Audible sound generated by a wind turbine shall not exceed 45 decibels (dBA) measured from the base of wind turbine support structure to nearest property line.

7. A wind turbine shall be prohibited in a front yard (between the principal building and the street) and in side yards and rear yards which are adjacent to a front yard of another residential property.

8. Signs are prohibited on wind turbines and support structures except for owner identification and facility rating information required by any cognizant authority.

9. Wind turbines and support structures must be a neutral color.

10. A permitted wind turbine not generating electricity for 90 consecutive days must be disassembled at property owner expense. Within 90 days thereafter, the support structure must also be disassembled at property owner expense if the support structure was used primarily for the wind turbine.

11. A wind turbine is at no time a temporary structure.

12. Electrical cable(s) must be underground or concealed from view on the support structure and wind turbine.

B. Property Value

The Commission shall consider the effect a wind turbine will have on property values. An application for wind turbine approval shall not be accepted by the Commission for review until a real estate appraiser licensed in the State of Connecticut is selected by the applicant and approved by the Commission to perform an appraisal on the Wind Turbine property and adjacent properties; and the appraisal report is submitted to the Commission. Appraisal expenses shall be paid by the applicant. The applicant and Commission are not obligated to accept the final appraisal report.

5.17. Congregate Housing

1. The lot size shall not exceed five (5) acres.

2. The lot shall be no nearer than one mile from any other congregate housing development.

3. The congregate housing development shall have a maximum density of resident rooms not exceeding 1.5 times the number of dwelling units permitted in the underlying District.

4. Occupancy within the congregate housing development shall be limited to persons 62 years of age or older and/or handicapped persons under 62 together with spouses or others providing care to such individuals.

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5.18. Food Trucks

1. **Purpose** - The purpose of these regulations is to allow the operation of food trucks in Watertown to meet current demand and increase the variety of allowed businesses, while ensuring that their use does not increase traffic, does not cause undue burden on neighboring uses, and allows the sale of foods from such vehicles to be done in a safe environment.

2. **Permits** -
   a. **Short Term Permit** - A short-term permit may be issued to a specific property for the specific day that a food truck will be on site. Any one property is limited to no more than one day every 30 days and no more than a total of 6 days a year).
   b. **Long Term Permit** – A long-term permit may be issued to a specific property for the period that a food truck will be on site. Any one property is limited to no more than 3 days every 7 days, and no more than a total of 104 days a year.
   c. Permits shall be obtained from the Planning and Zoning Office and any application shall be accompanied by a letter from (or signed by) the owner of the property where the food truck will be located.

3. **Zoning Districts** -
   a. Food trucks may be allowed in any zone on any day of the week provided that a Zoning Permit has been obtained from the ZEO.
   b. In residential zones, operation of food trucks is only permissible between the hours of 7:00 AM and 10:00 PM.
   c. In Commercial or Industrial zones, food trucks shall not be allowed within 100 feet of any residential property line.

4. **Provisions** -
   a. Up to two (2) food trucks may be permitted on any one property for the same day subject to the limitations of this section.
   b. Food trucks shall not be located in the town or state right of way and/or on public streets without written permission from the property owner.
   c. Food trucks shall not be located within 500 feet of the property lines of Watertown restaurants except with written consent from such restaurant(s).
   d. Food trucks shall only be permitted on designated driveway or parking areas and must be located in a way that does not block traffic flow on such sites or obstruct visibility of on street vehicles.

5. **Other Provisions** -
   a. All food trucks shall make provision for waste management, including waste receptacles for use by its customers and collecting any waste left on the ground or in the area around the vehicle prior to vacating the parking spot. Under no circumstances shall any waste associated with a food truck be left on site or disposed of in a public waste receptacle.
   b. The use of loudspeakers for projecting either voice or music is strictly prohibited.

These Regulations are not intended to limit the ability of a property owner to utilize a food truck for a private event on their property provided that food service is not made available to the general public.

5.19. Bed & Breakfast Establishment

1. **Use / Occupancy** –
   a. The principal use of the property shall be that of a private dwelling.
   b. The property must be occupied by the owner of the premises.
   c. The bed and breakfast operation shall not be used as a place of residence other than for the property owner and his/her/their immediate family.

2. **Configuration** –
   a. No more than six guest rooms shall provided and no more than four people may occupy any guest room.
   b. Any serving of meals shall be limited to breakfast for guests.
   c. Lodging accommodations shall be available to the general public.
   d. Cooking facilities in guest rooms are prohibited.

3. **Approvals** –
   a. Written certification shall be obtained from the Torrington Area Health Department that:
      1) Water supply and sewage disposal systems are adequate to support the intended use.
      2) Adequate provisions have been made for the serving of breakfast to guests, if applicable.
   b. The operation shall meet all applicable Building and Fire Code requirements.

4. **Parking** –
   a. Off-street parking spaces shall include at least two spaces for the residents of the single-family use plus one additional space for each guest room.
   b. The parking spaces shall be located and/or landscaped so that, in the opinion of the Commission, the parking spaces will not detract from the appearance of the property or the neighborhood.

5. **Signage** - Bed and breakfast operations shall be permitted no more than one suitable freestanding sign to identify the property, provided said sign does not exceed nine square feet as measured on one side, contains no lighting other than indirect lighting, and which shall be specifically reviewed and subject to approval as part of the site plan review for its consistency and compatibility with the area in which the bed and breakfast is located.

5.20. Keeping Of Animals In A Residential Zone

1. **Purpose** - This section is intended to allow for the keeping of chickens, horses and livestock (including raising, breeding, and similar uses normally associated with the keeping of such animals) within residential zones where accessory to a residential use subject to reasonable limitations to protect public health and safety and mitigate potential impacts on neighboring properties. The keeping of chickens, horses and livestock on a farm and in accordance with generally accepted agricultural practices is not subject to this section. The raising or breeding of animals exclusively for their pelts is prohibited.

2. **General** - All animals shall be kept in a manner that conforms to all applicable regulations of the Public Health Code, the Connecticut Department of Agriculture, the Department of Energy and Environmental Protection, and the Connecticut General Statutes.
   All mentions of chickens in this section (5.20) shall include ducks, guinea fowls, quails, pigeons, and pheasants.

3. **Chickens / Rabbits** - Up to 6 chickens (excluding roosters) or rabbits may be kept on any residential property as an accessory use if kept in a building or enclosure conforming to the setback requirements applying to a accessory building in the subject District. Additional chickens or rabbits may be kept subject to the same provisions provided there shall not be more than four (4) such animals per acre of land. Any manure pile shall also conform to the setback requirements applying to a principal building in the subject District.

4. **Horses / Livestock** – Horses and/or livestock may be kept on any residential property of five (5) acres or more as an accessory use provided:
   a. A building or other shelter is provided and is located a minimum of 150 feet from any lot line.
   b. Any manure pile is located a minimum of 150 feet from any lot line.
   c. The number of such animals shall not exceed:
      1) one horse, cow, or similar large animal whose mature weight exceeds 500 pounds per two (2.0) acres of land, or
      2) three sheep, goats or similar medium size animals whose mature weight is between 30 and 500 pounds per two (2.0) acres of land.
      3) Offspring shall not apply to the calculation of allowable horse / livestock until after weaning.
      4) An area of land, once used for determining the number of permitted horses or livestock, shall not be used for determining the number of permitted horses or livestock in a different category.
   d. Any fencing for confining horses / livestock shall be located at least 5 feet from any property line except that any pre-existing non-conforming fence for confining horses / livestock may be repaired, maintained, or replaced.

5.21. Accessory Outdoor Food & Beverage Service

1. For the purposes of this section:
   a. "Beverage" includes alcoholic liquor or an alcoholic beverage, as defined in CGS Section 30-1, and
   b. "Food establishment" means a food establishment that is licensed or permitted to operate pursuant to CGS Section 19a-36i,

2. As provided in CGS Section 8-1cc, a licensee or permittee of a food establishment may engage in outdoor food and beverage service as an accessory use of such food establishment's permitted principal use:
   a. Subject to site plan review to determine conformance with zoning requirements, and
   b. Provided such accessory use would not result in the expansion of a nonconforming use.

3. Such licensee or permittee may engage in outdoor food and beverage service:
   a. On public sidewalks and other pedestrian pathways abutting the area permitted for principal use and on which vehicular access is not allowed:
      - Provided such pathway:
        - Is constructed and maintained in compliance with physical accessibility guidelines, as applicable, under the federal Americans with Disabilities Act, 42 USC 12101, et seq., as amended from time to time, and the State Building Code, and
        - Extends for the length of the lot upon which the area permitted for principal use is located, and not less than four feet in width, not including any area on a street or highway,
        - Shall remain unobstructed for pedestrian use, and
      - Subject to reasonable conditions imposed by the Board of Selectmen or other municipal official or agency that issues right-of-way or obstruction permits;
   b. On off-street parking spaces associated with the permitted use, notwithstanding any municipal ordinance or zoning regulation establishing minimum requirements for off-street parking;
   c. On any lot, yard, court or open space abutting the area permitted for principal use, provided:
      - such lot, yard, court or open space is located in a zoning district where the operation of food establishments is permitted,
      - such use is in compliance with any applicable requirements for access or pathways pursuant to physical accessibility guidelines under the federal Americans with Disabilities Act, 42 USC 12101, et seq., as amended from time to time, and the State Building Code, and
      - the licensee or permittee obtains written authorization to engage in such service from the owner of such lot, yard, court or open space and provides a copy of such authorization to the Commission; and
   d. Up until 10:00 PM from Sunday through Thursday and up until 11:00 PM on Friday and Saturday meaning that no food or beverage shall be served to a customer or consumed outdoors on the premises after those times.

5.22. Farm - Accessory Retail Operations

1. **Roadside Farm Stand**– A temporary structure for a roadside farm stand is permitted by Zoning Permit provided the structure:
   a. Does not exceed 150 SF in area,
   b. Is located not less than 20 feet from any street line, and
   c. Is used only for the sale of agricultural products grown or produced on the same premises.

2. **Permanent Farm Store** - A permanent farm store, accessory to and used by a farm, for year-round display and sale of raw and/or processed agricultural and horticultural products is permitted by Site Plan Approval provided:
   a. The store may offer for sale, CT grown farm products substantially all of which are grown on the farm; and accessory products, whether produced and packaged on the farm or elsewhere, associated with agricultural or horticultural products offered on the subject property.
   b. The placement of any new structure or approval of any existing structure shall:
      1) be subject to all applicable setback requirements in the district in which it is located
      2) be in keeping with the rural characteristics of its Watertown neighborhood (a proposed structure designed to look like a wood barn shall be considered to be in keeping with the rural characteristics of its Watertown neighborhood).
   c. in no event shall a building or parking area be located within 100 feet of an existing residential building located on an abutting property.
   d. The floor area of a Permanent Farm Store building shall be limited as follows:

	Farm Parcel Up to 10 Acres	Farm Parcel Larger Than 10 Acres
Site Plan Approval	Up to 600 SF	Up to 1.200 SF
Special Permit	Larger Than 600 SF	Larger Than 1,200 SF

   e. The number of parking spaces required shall be determined by the Commission and guided by appropriate parking standards, and a permeable (dustless) parking surface is encouraged.

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5.23. Senior Homes

1. A senior home shall be subject to any required state licenses or permits.

2. The maximum number of residents in a senior home shall be specified and shall not exceed eight (8) residents.

3. The facility shall be served by public water supply and sanitary sewers.

4. The facility shall be provided with one (1) off-street parking space for each staff person and each consultative person expected to be on premises and an additional two (2) parking spaces for visitors.

5. There shall be safe and adequate provision for boarding and off-boarding adults from motor vehicles without hazards to pedestrians and traffic.

6. The use shall be located in a building and on a lot having such size, shape, landscaping, outdoor play yard space, and parking as to be in harmony with and conform to the character of the neighborhood.

5.24. Commercial Nursery / Greenhouse

The retail display and sale of produce grown on a lot of not less than 5 acres, or the retail display and sale of flowers and floral arrangements whether or not grown on the lot that shall meet all of the following requirements:

1. The lot shall meet the frontage requirement of the district in which it is located.

2. All structures shall be located not less than 100 feet from the street line and 100 feet from any dwelling on an adjacent lot.

3. The side yard setback shall be not less than 50 feet for all buildings, parking areas and driveways.

4. The number of parking spaces required shall be determined by the Commission and guided by appropriate parking standards, and a permeable (dustless) parking surface is encouraged.

5.25. Adult Day Care Home / Center

Adult day care homes and adult day care centers shall be subject to the following provisions:

1. Adult day care homes and adult day care centers shall be:
   a. Certified by the Connecticut Association of Adult Day Services.
   b. Reviewed and authorized by the Building Official.
   c. Reviewed and authorized by the Fire Marshal.
   d. Reviewed and authorized by the Health Department.

2. The maximum number of adults to be cared for shall be specified by the applicant/owner:
   a. Up to six (6) adults is considered an adult day care home, and
   b. More than seven (7) adults is considered an adult day care center.

3. The facility shall provide at least:
   a. One (1) off-street parking space for each staff person / consultative person expected to be on premises, and
   b. One drop-off / pick-up space for every 10 adults to be cared for and configured to provide for safe and adequate provision for boarding and off-boarding adults from motor vehicles without hazards to pedestrians and traffic.

4. Any adult care use shall be located in a building and on a lot having such size, shape, landscaping, outdoor yard space, and parking as to be in harmony with and conform to the character of the neighborhood.

5. An adult day care center shall be served by public water supply and sanitary sewers.

6. An adult day care center may only be located in a residential district when the facility is an adjunct to an existing public or private school, church or place of religious worship, convalescent home, or non-profit membership club, lodge, or community house.

5.26. Affordable Housing Provisions

A. Affordability Plan Required

An affordability plan in accordance with this Section of the Regulations shall be required for approval of any development containing affordable housing units.

B. Requirements For Affordability Plan

1. The affordability plan shall include provisions for
   a. Procedures for verification of income eligibility of potential renters / purchasers and periodic re-verification of income eligibility of existing renters,
   b. Procedures for verification of rental rates and sale prices at the time of each new occupancy;
   c. Identification of which units throughout the project shall be designated as affordable;
   d. Procedures for notice to the general public of the availability of affordable units;
   e. Commission acceptance of the qualifications of any administrator (or change of administrator) proposed by the owner in order to ensure they are qualified, capable, and experienced at such administration, and
   f. Administration of periodic reports to the ZEO or other authority as may be established concerning compliance with this Section;

2. The affordability plan shall also include drafts of documents, such as affordability covenants and restrictions, deeds of conveyance, and leases which will be used in the administration of the affordability restrictions and any explanations which will be provided to the occupants concerning such restrictions.

3. Such affordability plan shall describe in detail how the development will comply with this Section and how the affordability covenants and restrictions will be administered.

C. Additional Requirements

1. **Term Of Affordability Restrictions** - Affordable units shall be subject to deed-restrictions for an initial term of 40 years with automatically renewal of such restrictions for an additional ten-year term at the end of the initial term of deed restrictions and any successive term thereafter unless the property owner proposes and the Commission accepts, an alternative approach (such as, but not limited to, an equivalent unit in another location in Watertown, a payment to an Affordable Housing Fund (if any) maintained by the Town, a payment to a non-profit housing organization acceptable to the Commission, or other approach) in exchange for the release of the deed restriction.

2. **Comparability Of Units** - Affordable units shall be indistinguishable from the market-rate units in all respects, including but not limited to size, number of bedrooms, mechanical equipment, appliances, location, appearance, provision of community amenities and facilities, quality and cost of construction, and installation of utilities.

3. **Annual Reporting** - The developer or his successors shall certify to the appropriate local public agency on an annual basis that the units developed as affordable housing are being leased or have been sold to eligible persons or families, at prices or rents, consistent with the requirements of this Section of the Regulations and Section 8-30g of the General Statutes.

4. **Approval Of Administrator** - The Commission reserves the right to review and approve any proposed Administrator (initial or future) to ensure they are qualified, experienced, and capable of administering an affordable housing development particularly with regard to determining income eligibility of tenants/purchasers and approving proposed sale prices or rental rates.

D. Responsibility for Administration

1. The developer and his/her/their successors shall be responsible for the implementation of all terms and restrictions of the affordability plan.

5.27. Dog Training Center

Dog training centers shall be subject to the following provisions:

1. Dog training centers shall contain:
   a. Designated outdoor areas of sufficient size, to be determined by the commission, for the walking, training, and relieving of dogs.
   b. Dog common areas.

2. All dogs outside of the building shall be on a leash or inside a 6ft tall or higher fence which designated facility staff shall monitor at all times when in use.

3. Fencing may act as a visual barrier, such as through the use of vinyl, stockade fencing, etc. Where there is visibility such as with chain link fence, the fence shall have either a visibility screen or trees/vegetation/plants as part of a noise control and visual divide.

4. All chemicals, electrical cords, pipes, and HVAC components shall be kept safe/separated from dog common areas. Dog common areas are to be monitored by security camera.

5. Dog training centers shall comply with all applicable Connecticut state standards for licensing and operations.

6. The facility shall specify a waste management plan subject to review and approval of the Commission.

7. Outdoor dog training areas shall not be located within 150 feet of any residential zone property line.

8. Hours of operation are limited to 6:00am to 10:00pm.

9. Each facility shall provide a minimum of 80 square feet of floor area per dog, excluding offices and support areas.

10. The max number of dogs in the facility at one given time shall be determined by square footage.

11. Indoor flooring shall consist of non-permeable material which can be easily sanitized.

12. Outdoor flooring for areas designated for use by dogs shall be natural grass or pea gravel.

5.28. Transit Community & Mixed-Use Middle Housing

A. Purpose and Authority

This Section implements CGS Section 8-2s, as amended, which requires that a transit community middle housing development, or a mixed-use development of the same scale, be allowed on any lot zoned for commercial or mixed-use development, subject only to summary review. It establishes the specific, objective, and non-discretionary standards under which the Zoning Enforcement Officer shall administer such developments. To the extent any provision of this Section or of these Regulations is inconsistent with said Act, the Act shall control.

B. Applicability

1. This Section applies to (a) any transit community middle housing development and (b) any mixed-use middle housing development, in each case on a lot where such use is designated "SR" in Section 2.2.E. Each shall contain not fewer than two (2) nor more than nine (9) dwelling units, consistent with the Section 10.4 definitions.

2. A development of ten (10) or more dwelling units, whether wholly residential or mixed-use, is neither a transit community middle housing development nor a mixed-use middle housing development, is not eligible for summary review under this Section, and is governed by the otherwise-applicable provisions of these Regulations.

3. Where a standard elsewhere in these Regulations conflicts with this Section as applied to a qualifying development, this Section controls.

C. Use Standards

1. A transit community middle housing development and a mixed-use middle housing development shall each contain not fewer than two (2) nor more than nine (9) dwelling units, as provided in the Section 10.4 definitions.

2. Not more than one (1) principal building shall be located on a single lot under the summary review procedure of this section, except under the following permitted pathways:
   a. **Cottage Clusters:** A cottage cluster containing not fewer than two (2) nor more than nine (9) detached dwelling units developed as a single, unified development shall be permitted as-of-right on a single lot subject strictly to administrative summary review.
   b. **Authorized Multi-Building Zones:** In zoning districts where the underlying regulations explicitly permit multiple principal buildings on a single lot, a multi-building transit community or mixed-use middle housing development (2 to 9 cumulative units) may proceed directly to summary review, provided that all objective dimensional, separation, public health, and design standards of this Section are met for each individual structure.
   c. **Two-Step Multi-Building Layout Approval Track:** In districts where multiple principal buildings require special permit or site plan approval from the Commission, the applicant shall first obtain approval from the Commission for the physical multi-building site layout and circulation master plan only, pursuant to the standards of Section 8.2 or 8.4. Commission approval of the site layout shall be non-discretionary as to the underlying residential use.

3. In a mixed-use middle housing development, the non-residential use(s) shall be limited to principal uses otherwise permitted in the subject District under Section 2.2.

4. Accessory uses and structures shall be permitted in accordance with Section 2.3.

D. Area and Dimensional Standards

1. A qualifying development shall comply with the minimum lot requirements, building and parking setbacks, maximum coverage, maximum floor area ratio, and maximum height standards of Section 2.4 for the subject District.
2. In a cottage cluster, buildings shall be separated by not less than ten (10) feet.

3. No minimum dwelling-unit floor area is established by this Section. (Under CGS §8-2(d)(7), a regulation may not set a minimum dwelling-unit floor area greater than the applicable building-code minimum.)

E. Objective Design Standards

1. **Entrance.** At least one principal building entrance shall face the street line or a walkway connecting directly to the street line or public sidewalk.

2. **Glazing.**

   a. **Transit community middle housing development.** Windows and glazed doors shall comprise not less than 20% of the ground-story glazing band described in subsection (d), and not less than 15% of each street-facing façade of the second story and each story above.
   b. **Mixed-use middle housing development.** Windows and glazed doors shall comprise not less than 40% of the ground-story glazing band described in subsection (d), and not less than 15% of each street-facing façade of the second story and each story above.
   c. **Proportion.** Each window and glazed door on a street-facing façade shall be vertically proportioned, having a height-to-width ratio of not less than three to two (3:2). This subsection shall not apply to the ground story of a mixed-use middle housing development.
   d. **Measurement.** Ground-story glazing shall be located within a vertical band measured between two (2) and ten (10) feet above the base ground floor elevation. The area of such band, for purposes of the percentages required by subsections (a) and (b), shall be the horizontal length of each respective street-facing façade multiplied by the eight (8) foot height of the band, and such percentages shall be satisfied on each street-facing façade. Glazing above the ground story shall be calculated per story based on the total surface area of the exterior wall of that story. Only clear glass having a visible light transmittance of not less than 60% shall count towards fulfilling the minimum glazing requirements. Opaque, spandrel, and mirrored glass shall not be counted.
   e. **Openings.** No street-facing façade shall have a continuous horizontal length of more than 15 feet without a window or door opening.

3. **Garage doors.** Garage doors on a street-facing façade shall not exceed 40% of the width of that façade.

4. **Parking location.** Off-street parking may be located to the front, side, or rear of the principal building(s). Parking and loading setbacks shall comply with Section 2.4.C.

5. **Pedestrian access.** A paved walkway not less than four (4) feet wide shall connect each principal entrance to the street line, and to the public sidewalk where one exists along the frontage.

6. **Utilities.** New electric, telephone, and other cable-supplied services shall be installed underground from the point of connection at the street or lot line.

7. **Screening.** Ground-mounted mechanical equipment and refuse containers shall be screened from any street and any abutting Residential District by an opaque fence, wall, or evergreen planting at least as tall as the item screened.

8. **Roof form.** Each principal building shall have (a) a pitched gable, hip, or gambrel roof with a minimum slope of 4:12 and a minimum eave and rake overhang of one (1) foot on all elevations; or (b) a flat roof with a parapet extending not less than one (1) foot above the roof deck along each street-facing façade, or a height sufficient to completely screen all roof-mounted mechanical equipment from view at the front property line, whichever is greater. Any such parapet shall include a continuous architectural cornice.

9. **Street trees.** Not less than one (1) deciduous tree of at least two (2) inches caliper shall be provided per forty (40) feet of street frontage; existing healthy trees preserved within fifteen (15) feet of the street line shall count.

10. **Lighting and signs.** Exterior lighting shall comply with Section 6.4; signs with Section 6.1.

11. **Stormwater and erosion control.** The development shall comply with Sections 6.5 and 6.7.

F. Public Health and Safety Standards

1. **Water and sewage.** The development shall connect to public water and sanitary sewer where available. Where not available, the application shall include approval of the proposed water supply and subsurface sewage disposal system by the Torrington Area Health District.

2. **Access.** Driveways shall comply with Sections 6.8 (Corner Visibility) and 6.9 (Driveway / Access Management), and, for lots fronting a State highway, shall have or have applied for a CTDOT encroachment permit.

3. **Emergency access.** Buildings shall have unobstructed emergency vehicle access under the applicable fire code, as verified by the Fire Marshal.

4. **Overlay zones.** Development in the Flood Management Overlay Zone shall comply with Appendix B. Development in the Aquifer Protection Overlay Zone shall comply with the substantive standards of Section 4.1.

5. **Inland wetlands and watercourses.** Where the proposed development involves an activity regulated pursuant to CGS Sections 22a-36 to 22a-45, inclusive, the applicant shall submit an application to the Conservation Commission / Inland Wetlands Agency not later than the day the summary review application is filed. No application under this Section shall be approved until such agency has rendered its decision on the regulated activity.

G. Special Adaptive Reuse Provisions for Middle Housing

1. **Eligibility & Purpose.** To promote the economic revitalization, reuse, and structural preservation of underutilized non-residential structures in Watertown, any existing building physically constructed and legally occupied prior to July 1, 2026, and located on a lot within a business or mixed-use business district (designated "SR" in Section 2.2.E) may be converted to a transit community middle housing development or a mixed-use middle housing development subject to the Summary Review procedure of Section 8.1.E and the standards of this Section. This adaptive reuse pathway shall explicitly exclude lots located within any industrial zoning district.

2. **Dimensional Modifications.** For qualified adaptive reuse structures, the existing physical building footprint, yards, setbacks, lot coverage and height shall be deemed compliant for the sole purpose of Summary Review under this Section, including any multi-building layouts existing on a single lot. Structural alterations shall be limited to the existing building envelope and shall not increase any existing dimensional nonconformity with the underlying district standards of Section 2.4.

3. **Design Standard Exceptions.** Structures utilizing this adaptive reuse pathway shall be completely exempt from all objective design standards of Section 5.28.E that govern the physical structure itself (including entrance orientation, glazing, façade openings, garage doors, and roof form), provided that the conversion substantially preserves the structural shell of the original building. The development shall remain fully subject to all non-structural standards of Section 5.28.E, including provisions for pedestrian access, utilities, screening, street trees, lighting, and signs.

4. **Off-Street Parking Controls.** In accordance with the Statutory Limitations of Section 6.2, no minimum off-street parking spaces shall be mandated for the residential component of the conversion. The non-residential component of a mixed-use middle housing development shall satisfy the standard commercial parking requirements of Section 6.2. However, the applicant may submit a Parking Needs Assessment, as defined in Section 10.4, for the non-residential component. Where such assessment is reviewed and verified by the Town Engineer to accurately demonstrate that fewer spaces are required based on shared parking, public transit, or adjacent municipal lots, the required commercial parking minimum shall be set to the number of spaces supported by the assessment.

H. Application and Review

Applications under this Section shall be submitted, reviewed, and decided in accordance with Section 8.1.E (Summary Review).

5.29. Conversion of Vacant Nursing Homes to Multifamily Housing

A. Purpose and Authority

This Section implements CGS Section 8-2r, as amended, which requires that the conversion of a nursing home into multifamily housing be allowed subject only to summary review. To the extent any provision of these Regulations is inconsistent with said section, said section shall control.

B. Applicability and Eligibility

Notwithstanding the use tables of these Regulations, the conversion of a nursing home, as defined in CGS Section 19a-490, into multifamily housing shall be permitted subject only to summary review in any District in which such nursing home is located, provided:

1. Such nursing home is a freestanding structure;

2. Such conversion does not result in the substantial alteration of the footprint of such structure;

3. Such conversion does not result in the total demolition of such structure; and

4. The owner of such nursing home has declared, in writing to the Town, that such nursing home has been vacant for a period of not less than ninety (90) days immediately preceding the submission of the summary review application.

C. Standards

A conversion under this Section shall comply with the applicable specific, objective, and non-discretionary standards of these Regulations, including requirements concerning setbacks, lot size and building frontage. The Statutory Limitations subsection of Section 6.2 governs off-street parking for the resulting dwelling units.

D. Procedure and Decision Period

Applications under this Section shall be submitted, reviewed and decided in accordance with Section 8.1.E, except that a decision shall be rendered not later than sixty-five (65) days after receipt of the application, provided the applicant may consent to one or more extensions of not more than an additional sixty-five (65) days, or may withdraw the application.

SECTION 6 BASIC STANDARDS

QUICK LINKS

6.1. Signs
6.2. Parking and Loading
6.3. Landscaping, Screening, and Buffering
6.4. Lighting
6.5. Stormwater Management
6.6. Environmental Performance Standards
6.7. Erosion and Sediment Control
6.8. Corner Visibility
6.9. Driveway / Access Management
6.10. Accessibility For People And Bicycles
6.11. Refuse Management

6.1. Signs

A. Purpose

The purpose of these standards is to address the need for adequate business identification, advertising, and visual communication within the Town through the display of attractive, well-designed signs, while recognizing the Town's responsibility to promote public safety, protect property values, minimize visual clutter, and enhance the physical appearance of the Town.

These sign regulations are intended to place restrictions on the time, place, and manner (when, where, and how) of signage so that the purposes stated above may be accomplished. This includes restrictions on size, height, location, and number of signs that may be displayed.

B. Sign Permit Requirements

1. Except as otherwise provided herein, no sign shall be constructed, erected, altered, or otherwise changed unless a sign Zoning Permit has been issued by the ZEO.

2. All applications for a sign Zoning Permit shall be signed or countersigned by the owner of the lot on which the sign will be located and shall be accompanied by the following:
   a. For freestanding signs, a plot plan of the premises and, for any signs attached to structures, a measured elevation drawing of the building facade, each drawn to scale, showing the location, dimensions, and area of all existing and proposed signs on the premises; and
   b. Plans and specifications of the proposed sign, including its dimensions, area, maximum and minimum height, proposed message and design, materials, colors, method of construction, and method of illumination.

C. Classification of Signs

Signs shall be classified by structural type and by functional type.

1. **Structural Types of Signs** -

   a. Freestanding Sign - A sign placed on the ground or supported by one or more uprights, poles, or other supports placed in or upon the ground.

   b. Wall Sign - A sign attached to the exterior wall of a structure in such a manner that the wall becomes the support for, or forms the background surface of, the sign and which does not project more than 15 inches from the structure.

   c. Projecting Sign - A sign which is wholly or partly dependent upon a building for support and which projects more than 15 inches from the building.

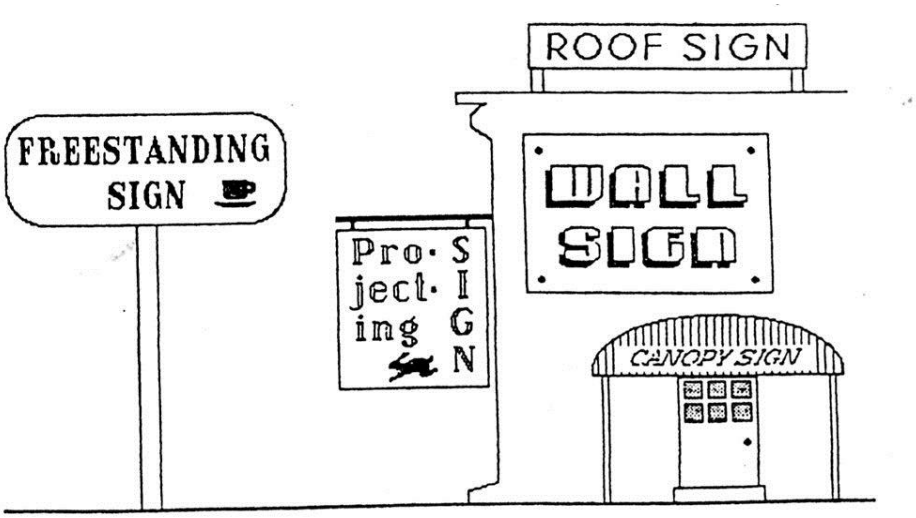
   d. Roof Sign - A sign mounted on, against, or directly above the roof or on top of, or above, the parapet of a building or structure.

   e. Marquee or Canopy Sign - A sign attached to the vertical face of a building marquee or canopy.

   f. Portable Sign - A sign which is not permanent, and not affixed to a building, structure, or the ground.

   g. Window Sign - A sign of temporary nature, located within the building intended for viewing through the window of the structure by people outside the building, whether or not it is attached to the window.

Examples of Types Of Signs



2. **Functional Types of Signs** -

a. Identification Sign - A sign located on the premises, which indicates the name, address and/or identifying symbol of:
   1) A development containing two or more occupants such as a professional office building, a residential development, an industrial park, or commercial shopping center; or
   2) A school, park, place of worship, hospital, or other public or semi-public facility.

b. Nameplate Sign - A sign located on the premises that indicates the name and occupation or profession of each occupant of the premises.

c. Real Estate Sign - A sign which pertains to the sale, lease, or rental of the premises, or a portion of the premises, on which the sign is located.

d. Construction Sign - A temporary sign, located on the premises on which construction is taking place during the period of such construction, which may indicate the names of the design professionals, contractors, owners, financial supporters, sponsors, and/or similar individuals or firms having a role or interest with respect to the structure or project,

e. Billboard - A sign which directs attention to a business, commodity, service or entertainment conducted, sold, offered, or manufactured at a location other than the premises on which the sign is located,

f. Business Sign - A sign which directs attention to a business commodity, service, or entertainment conducted, sold, offered, or manufactured on the premises on which the sign is located. Such signs shall include those of individual retail, wholesale, industrial, or commercial establishments.

g. Directional Sign - A sign limited to directional messages, principally for pedestrian or vehicular traffic, such as "one way", "entrance", or "parking".

h. Temporary Sign - A sign which announces a business opening, a festival, a bazaar, a special event, a tag sale, or a political campaign.

i. Welcome Sign - A sign constructed by a not-for-profit organization which announces welcome to Watertown and which contains no other advertisement on the sign except the name of the not-for-profit organization(s) erecting the sign.

j. Community Bulletin / Event Sign - A sign constructed by a not-for-profit organization which announces community events and contains no advertisement except for the name of the not-for-profit organization(s) erecting the sign.

k. Service Organization Sign - A sign constructed by a not-for-profit organization which announces welcome to Watertown and identifies the national service organizations in the Town of Watertown and contains no other advertisement except for the name of the not-for-profit organizations(s) erecting the sign. Twelve not for profit organizations shall be limited to each sign.

D. Permitted Signs

1. **Signs Allowed Without A Sign Zoning Permit**:
   a. One real estate sign for each street frontage of the lot on which the sign is located, subject to the following.
      1) Such sign shall not be illuminated, and
      2) Such sign shall not exceed six square feet in area in Residential Districts, 18 square feet in area in Business Districts, or 32 square feet in Industrial Districts and shall be removed within 30 days after completion of the sale, rental, or lease transaction.
   b. In any Residential District:
      1) Private warning and traffic signs, with no advertising thereon, each not exceeding three (3) square feet in area;
      2) one identification sign, not to exceed six square feet in area, to identify a unified development;
      3) one nameplate sign, not to exceed two square feet in area, per building occupant; and
      4) on a tract of land for which a subdivision map has been approved by the PZC, one (1) real estate or construction sign not exceeding 18 square feet in area for a period of one (1) year.
   c. In any Business District, signs attached to buildings to identify specific occupants or services or provide customary business notices and designed to be read only by pedestrians on the lot.
   d. In the B-C, B-D, B-G1, B-G2,, B-L, and B-SC, Districts, window signs, unilluminated, the total area of which shall not exceed one square foot of sign area for each linear foot of building frontage.

2. **Signs Allowed In All Districts Subject To A Sign Zoning Permit.**
   a. Signs pertaining to service club meetings, not to exceed six square feet in area.
   b. Temporary signs for periods not exceeding 10 consecutive days, and totaling not more than 30 days in any calendar year, for the purpose of announcing Special Temporary Events permitted in accordance with Section 8.1.C.
   c. One construction sign for each street frontage of the lot on which the sign is located, such sign not to exceed 18 square feet in area in Residential Districts or 32 square feet in area in Non-Residential Districts.
   d. One identification sign, not to exceed 18 square feet in area, to identify a public or semi-public facility. The identification sign for a place of worship, school, museum or similar institution may include as part of its sign area a non- electronic bulletin board on which messages and announcements of activities and programs can be displayed.
   e. Directional signs not to exceed three square feet in area.
   f. Welcome signs up to 20 square feet in area at locations in the Town of Watertown as approved by the Planning and Zoning Commission.
   g. Community bulletin/event signs up to 48 square feet in area at locations in the Town of Watertown as approved by the Planning and Zoning Commission.
   h. Service organization signs up to 48 square feet in area at locations in the Town of Watertown approved by the Planning and Zoning Commission.

3. **Signs Allowed In B-L District Subject To A Sign Zoning Permit -** Two business signs per building occupant shall be permitted in the B-L District, subject to a sign Zoning Permit and conforming to the following.
   a. No freestanding sign shall exceed 18 square feet or 10 feet in height and no projecting sign shall exceed eight square feet.
   b. One wall, marquee, or canopy sign per building occupant not to exceed 14 square feet, except that business establishments having an excess of 20 linear feet of building frontage shall be allowed an additional one square foot of sign area for each two linear feet of such additional frontage, not exceeding a total sign area of 36 square feet for any single business.

4. **Signs Allowed In B-C District Subject To A Sign Zoning Permit -** The following signs shall be permitted in the B-C District, subject to a sign Zoning Permit.
   a. One freestanding sign, not exceeding 10 square feet in area or more than 10 feet in height.
   b. One projecting sign per building occupant not exceeding eight square feet.
   c. One wall or marquee sign per building occupant not exceeding 14 square feet of area, except that business establishments with more than 20 linear feet of building frontage shall be allowed one additional square foot of sign area for each two linear feet of frontage exceeding 20 feet, not to exceed a total sign area of 30 square feet for any one business establishment.

5. **Signs Allowed In IR-80 and IR-200 Districts Subject To A Sign Zoning Permit** - The following signs shall be permitted in the IR-80 and IR-200 Districts subject to issuance of a sign Zoning Permit.
   a. One identification sign, not to exceed 32 square feet, to identify a unified office, industrial, or mixed-use development.
   b. Two business or nameplate signs, as applicable, per building occupant, provided that:
      1) No freestanding sign shall exceed 32 square feet and
      2) No projecting sign shall exceed 16 square feet.
   c. One wall, marquee, or canopy sign per building occupant not to exceed 18 square feet of area, except that business establishments having an excess of 20 linear feet of building frontage shall be allowed an additional one square foot of sign area for each two linear feet of such additional frontage, not to exceed a total sign area in excess of 48 square feet for any one business establishment.

6. **Signs Allowed In Other Business/Industrial Districts Subject To A Sign Zoning Permit -** The following signs shall be permitted in the B-SC, B-G1, B-MG, B-G2, B-D, B-O, IG-20, and IG-80 Districts, subject to issuance of a sign Zoning Permit or, where applicable, approved as part of a Site Plan approval.
   a. One identification sign, not to exceed 24 square feet, to identify a unified office or mixed-use development.
   b. One identification sign, not to exceed 48 square feet, to identify a unified business or industrial development.
   c. Two business or nameplate signs, as applicable, per building occupant, provided that:
      1) No freestanding sign shall exceed 24 square feet and
      2) No projecting sign shall exceed 16 square feet.
   d. One wall, marquee, or canopy sign per building occupant not exceeding 18 square feet of area, except that business establishments with more than 20 linear feet of building frontage shall be allowed one additional square foot of sign area for each two linear feet of frontage exceeding 20 feet, not to exceed a total sign area in excess of 48 square feet for any one business establishment. In the Shopping Center Business B-SC District, five signs may be permitted on the wall provided the total sign area does not exceed that which is otherwise allowed.

E. Alternative Signage Options for Large Developments

1. Due to the complexities of site design and occupancy associated with large developments such as shopping centers, office parks, and mixed-use facilities, the owner of a unified non-residential development containing more than 65,000 square feet of gross floor area may submit to the Commission, for authorization for ZEO issuance of a sign Zoning Permit, an alternative signage program differing from the standards contained in this Section.

2. Such signage program shall, at a minimum, contain the information required for an application for a sign Zoning Permit, as provided by Section 6.1.B.

3. When reviewing an application for alternative signage, the Commission shall consider the following factors.
   a. Whether the signage program would be consistent with the purpose of this Section;
   b. Whether the signage program would result in a more comprehensive and attractive arrangement and display of signs that could otherwise be accomplished under the standards of this Section;
   c. The extent to which the proposed wall signage would not be visible from any public street; and
   d. The extent to which the amount of proposed wall signage is not concentrated in a single sign.

F. Off-Site Directional Signs

In accordance with the procedures, standards, and conditions of Section 8.3 and Section 8.4, the Commission may approve a Special Permit in a Business or Industrial District authorizing establishment of a directional sign pertaining to a use of land, buildings and other structures on a lot other than where the sign is located, subject to the following standards.

1. The sign shall be limited to identifying the names of and giving direction to a complex of buildings having multiple occupancy consisting of retail stores and other services open to the public and having an aggregate floor area for such uses of 30,000 square feet or more, and there shall be no more than three (3) such signs identifying any one (1) such complex.

2. The sign shall be located for viewing from a major or secondary street shown in the Plan of Conservation and Development of the Town of Watertown at a point where turning at a street or driveway will guide persons in motor vehicles to such complex.

3. No such sign shall exceed 24 square feet in area nor more than six (6) feet in any dimension, and any such sign shall otherwise conform to all of the requirements of this Section applicable to the lot where the sign is located and avoid proliferation and extension of signs.

4. The design of a sign shall harmonize with and not detract from the characteristics of the area in which it is located.

5. When a sign is accessory to or part of a use, building, or other structure or site development for which a Special Permit and/or Site Plan approval is required, such sign shall be subject to Site Plan approval or amendment of Site Plan approval in accordance with Section 8.3, including such additional requirements or alternative standards for signage or additional signage as the Commission may determine necessary or appropriate.

G. Prohibited Signs

The following signs shall be prohibited in all Districts.

1. Rotating, moving, or animated signs.
2. Temporary A-frame, sandwich board, or portable signs.
3. Attention-getting devices such as banners, pennants, valances, flags, streamers, searchlights, string or festoon lights, flashing lights, balloons, or similar devices designed for purposes of attracting attention, promotion, or advertising.
4. Roof signs.
5. Any sign which could be mistaken for, or confused with, a traffic control sign, signal or device.
6. Signs painted, posted, or otherwise attached to any rock, fence, tree, automobile, truck, or utility pole.
7. Billboards.
8. Continuous strip lighting of buildings and other structures.
9. All other signs not expressly permitted by this Section.

H. General Provisions for Signs

1. No Zoning Permits or Site Plans shall be approved for any use or structure if any signage associated with such use or structure is not in conformance with these Regulations.
2. Signs shall comply with the corner visibility requirements of Section 6.8.
3. Signs shall not obstruct or interfere with the visibility of vehicular or pedestrian traffic or cause any hazard to public health and safety.
4. Signs shall not obstruct or interfere with the view of any traffic control sign, signal, or device.
5. Signs, except welcome signs, community bulletin/event signs, service organization signs, temporary signs, and signs permitted by Special Permit approval, shall pertain only to a use or occupancy of land, buildings, and other structures on the lot where the sign is located.
6. All welcome signs, community bulletin/event signs, and service organization signs located within any Town of Watertown or State of Connecticut right-of-way shall get permission from the Town of Watertown or the State of Connecticut as applicable.
7. This Section shall not prohibit or regulate the installation by the Town, State, or Federal Government of street signs, emergency signs, traffic control signs, warning signs, or directional signs.
8. Nothing in this Section shall be construed as prohibiting signs viewed only from within a building.

9. The area of all existing signs on a lot shall be counted toward the maximum sign area allowable on that lot by this Section. The number of existing signs on a lot shall be counted toward the maximum number of allowable signs on that lot.

10. Directional signs shall contain no advertising.

11. Political campaign signs shall be exempt from these Regulations.

I. Sign Design and Area

1. **Sign Area** - Computation of sign area shall be as follows.
   a. The area of a sign shall be computed from the outer dimensions of the frame, trim, or molding by which the sign is enclosed.
   b. When a sign consists of unframed individual letters, symbols or characters, its area shall be computed as the area of the smallest rectangle which encloses all of the letters, symbols, or characters.
   c. When a sign consists of two or more faces, only one face of the sign shall be used in computing the sign area if the faces are parallel to and within 15 inches of each other; otherwise, all faces of the sign shall be used to compute the sign area.

2. **Wall Signs** - Standards for wall signs shall be as follows.
   a. No wall sign shall extend beyond the outer edge of any wall of the building to which it is attached.
   b. A marquee sign may extend the full length of the marquee but shall not extend beyond the ends of the marquee.
   c. A wall sign shall be parallel to the wall to which it is attached and shall not project more than 15 inches from the face of the wall.
   d. No wall sign shall be painted directly upon any wall.
   e. No wall sign shall extend above the eaves of the building to which it is attached.

3. **Freestanding Signs** - Standards for freestanding signs shall be as follows, with Site Plan approval by the Commission.
   a. In Residential Districts, the height of any freestanding sign shall not exceed five feet except for community bulletin/event signs and service organization signs which shall not exceed 8 feet in height. In Non-Residential Districts the height of any freestanding sign shall not exceed the height of the building to which it relates or a height of 15 feet (whichever is less), except that welcome signs, community bulletin/event signs, and service organization signs shall not exceed 8 feet in height.
   b. In Non-Residential Districts, the bottom edge of a freestanding sign shall be at least seven feet above ground level when located in an area where the public walks or where it would impair visibility.
   c. No part of any freestanding sign shall be located within ten feet of any property line.
   d. Except as otherwise provided herein, only one freestanding sign shall be permitted on a lot for each street from which the lot has vehicular access, even if there is more than one building or use on that lot.

4. **Projecting / Marquee / Canopy Signs** - Standards for projecting signs and marquee or canopy signs shall be as follows.
   a. The bottom edge of a projecting sign shall be at least seven feet above ground level when located in an area where the public walks.
   b. No projecting sign shall extend more than six feet from the wall to which it is attached.

J. Community Information Signage

Welcome signs, community bulletin/event signs, and service organization signs may be installed subject to approval by the ZEO and the following provisions:

1. Such signs shall be landscaped and maintained by an individual company or organization. A sign two square feet in area may be located within the landscaped area indicating the individual company or organization maintaining this landscaping.

2. A landscape plan shall be subject to the approval of the organization erecting the sign and a copy of the plan shall be submitted to the ZEO for review prior to the installation.

K. Sign Illumination

1. **Flashing / Moving Lights** - Signs shall not utilize or contain flashing, digital, or moving lights, except such portions thereof which display the time, temperature, and/or date.

2. **Internal Illumination** –
   a. When a sign is internally illuminated, the light source shall be completely covered.
   b. In Residential Districts, no sign shall be internally illuminated.
   c. In BL Districts, no signs shall be internally illuminated, including outdoor vending machines.

3. **External Illumination** - When a sign is externally illuminated, the light source shall be shielded so that the beams or rays of light do not shine or reflect directly onto adjacent properties or streets.

4. **Business / Industrial Districts** - Any illuminated sign in any Business or Industrial District located on a lot adjacent to, or across the street from, a Residential District, shall not be illuminated between the hours of 10:00 P.M. and 7:00 A.M.

5. **Specific Districts** - In the B-D, B-O, B-G2, and IG-20 Districts the following standards shall apply.
   a. No illuminated sign shall be mounted on the side of a building or attached to the ground so as to face or be within 60 degrees of facing a Residential District boundary line if located within 200 feet of such line.
   b. Illuminated signs shall be provided only to identify the name and address of the premise and/or the enterprise on or the occupant of the premises, expressly excluding illuminated signs with other messages such as but not necessarily limited to products, services, and prices
   c. Illumination of signs shall be limited to luminous background silhouette signs, floodlighted signs, and luminous plastic and glass letter signs. Illumination of signs may also include luminous background plastic or glass internally illuminated signs not exceeding 24 square feet in area and having a maximum brightness of 30 foot lamberts over 80% of the area of the sign.

L. Sign Maintenance, Compliance, and Removal

1. All signs, together with their supports, braces, guys, and anchors, shall be kept in good working order and safe condition.

2. The owner of the lot on which the sign is located shall be directly responsible for keeping such sign, including its illumination sources, in good working order and safe condition.

3. Unsightly, damaged, or deteriorated signs or signs in danger of falling shall be put in order or removed within 30 days following written notice to the sign owner by the ZEO.

4. Any sign which pertains to a business no longer conducted on the premises where such sign is located shall be removed by the owner of the lot on which the sign is located within 30 days following cessation of the relevant activity.

5. Any sign that replaces an existing non-conforming sign shall comply with this Section.

M. Non-Conforming Signs

Lawful signs of a size or type not currently permitted in the Zoning District in which they are situated, or which are improperly located or illuminated, or which are non-conforming in any other way, shall be considered non-conforming structures under Section 7.2.D and shall not be changed or increased in size, illumination, or any other characteristic except as otherwise permitted in the subject District.

N. Alternative Signage

A sign otherwise authorized by these Sign Regulations may contain non-commercial content, provided that the sign otherwise conforms to the provisions set forth in these Sign Regulations, including any permits or approvals required.

6.2. Parking and Loading

See Section 6.3.D for landscaping provisions for parking areas.
See Section 6.9 for driveway and access management provisions.

A. Purpose

An adequate supply of off-street parking and loading spaces shall be provided to meet the needs of persons making use of such structures or land uses and, except as otherwise provided, in accordance with the standards of this Section for all new buildings and uses, for the expansion of existing buildings and uses, and for a change of use when such change would result in a use whose parking and/or loading requirements would be greater than those of the use it is replacing.

B. Applicability

1. The amount of off-street parking provided shall be sufficient to accommodate the motor vehicles of all occupants, employees, customers, and visitors normally at the premises at any one time, as specified in Section 6.2.C below.

2. Structures and land uses in existence, or for which building permits have been issued prior to the adoption of these Regulations, shall not be subject to any additional parking or loading space requirements of these Regulations, provided that any parking or loading facilities then existing to serve such structures or uses shall not in the future be reduced, except where they exceed such requirements, in which case they shall not be reduced below such requirements. Required parking and loading facilities for the existing portion of such structures or uses shall be provided at the time of any enlargement of such existing structures or uses in the future.

3. When two or more different uses occur on a single lot, the total amount of parking facilities required shall be the sum of the requirements for each individual use on the lot, except that the Commission may approve the joint use of parking space by two or more establishments, the total capacity of which space shall be no more than 20% less than the sum of the spaces required for each, provided the Commission finds that the capacity to be provided shall substantially meet the intent of this Section by reason of variation in the probable time of maximum usage by patrons and employees among such establishments.

4. If any existing use of the land, buildings, or other structures, conforming to the requirements of this Section, is changed to a use requiring additional off-street parking or loading spaces to comply with this Section, the additional spaces shall be provided for the new use in accordance with the applicable standards.

5. Parking required for places of worship, theaters, assembly halls, and stadiums may be provided on separate lots that are located in a Business or Industrial District and no further than 500 feet in a direct line from the building.

C. Statutory Limitations on Residential Off-Street Parking Requirements

1. Notwithstanding any other provision of these Regulations, for a residential development of sixteen (16) or fewer dwelling units: (a) no minimum number of off-street parking spaces shall be required, and (b) no application shall be denied on the basis of the number of off-street parking spaces provided, except upon a written finding that the lack of parking will have a specific adverse impact on public health or safety that cannot be mitigated through conditions having no substantial adverse impact on the viability of the development.

2. For a residential development of seventeen (17) or more dwelling units, the minimum number of off-street parking spaces shall not exceed one (1) space per studio or one-bedroom dwelling unit and two (2) spaces per dwelling unit with two or more bedrooms.

3. An applicant for a development of seventeen (17) or more dwelling units may submit a parking needs assessment, as defined in Section 10.4. Where it demonstrates that fewer spaces are needed, approval shall be conditioned on the number the assessment supports.

4. For a mixed-use development, this subsection governs the residential component; the non-residential component follows the otherwise-applicable requirements of this Section 6.2.

5. Nothing in this subsection limits maximum parking standards or applies to non-residential development.

6. All other provisions setting minimum off-street parking for residential uses — including Sections 4.3.E.2, 4.5.D.2, 5.5.F.1, and 5.14.C.1.c — apply only to the extent consistent with this subsection.

D. Minimum Parking Requirements

The following requirements shall be considered the minimum number of parking spaces required for each use except as otherwise provided in this Section. Where the number of parking spaces is calculated to be a fraction, it shall be rounded up to the nearest whole number. The minimum number of parking spaces required for other uses not listed below shall be as determined by the Commission, based on the nature, intensity, and/or mix of the proposed use, including projected attendance, the number of employees, visitors and/or customers, and the experience of similar facilities elsewhere.

1. **Principal Residential Uses** –
The minimum parking figures in this schedule do not apply to residential developments of sixteen (16) or fewer dwelling units and are subject to reduction through a parking needs assessment for larger developments. See the Statutory Limitations subsection at the head of this Section 6.2.

Use	**Minimum Number of Spaces Required (**plus additional spaces for accessory uses as required below)
a. Single family, two-family, and three-family dwellings	2 spaces per dwelling unit
b. Multi-family dwellings: 1) Studio (efficiency) dwelling units 2) One-bedroom dwelling units 3) Two+-bedroom dwelling units	 1.0 spaces per dwelling unit 1.0 spaces per dwelling unit 2.0 spaces per dwelling unit
c. Age restricted housing	1.0 space per dwelling unit
d. Congregate housing	Except as provided in the Statutory Limitations subsection of Section 6.2, 1.5 spaces per dwelling unit
e. Group homes	2 spaces per group home, plus 1 per 2 employees

2. **Accessory Residential Uses** -

Use	**Minimum Number of Spaces Required**
a. Home occupations, home offices as permitted in a residence district	1 space per non-resident employee
b. Bed and breakfast accommodations	1 space per bedroom, one per employee,
c. Boarding, rooming, or lodging houses	1 space per guest unit in the boarding, rooming, or lodging operation plus 1 space per 2 employees

START
1. RESIDENTIAL DISTRICTS
2. BUSINESS DISTRICTS
3. INDUSTRIAL DISTRICTS
4. SPECIAL DISTRICTS
5. USE-RELATED-STANDARDS
6. BASIC STANDARDS
7. SPECIAL STANDARDS
8. PROCEDURES
9. REGULATORY FRAMEWORK
10. WORDS AND TERMS

3. Business Uses, Retail / Personal Service -

Use	Minimum Number of Spaces Required
a. Retail stores not otherwise listed	1 space per 250 SF of GFA on the main floor, plus 1 per each 300 SF of GFA on other floors
b. Personal service establishments not otherwise listed	1 space per 250 SF of GFA on the main floor, plus 1 per each 300 SF of GFA on other floors
c. Shopping centers	1 space per 250 SF of GFA
d. Furniture or carpet stores	1 space per 500 SF of GFA

4. Business Uses, Hospitality / Restaurant / Lodging -

Use	Minimum Number of Spaces Required
a. Restaurants or other places serving food or drink	1 space per 75 SF of gross floor area or 1 per 2.5 seats, whichever is greater
b. Hotels or motels	1.5 spaces per bedroom

5. Business Uses, Office -

Use	Minimum Number of Spaces Required
a. General, business, or professional offices, non-medical	1 space per 300 SF of GFA
b. Medical or dental offices or clinics	1 space per 150 SF of GFA
c. Banks and financial institutions	1 space per 300 SF of GFA
d. Drive-in bank windows	5 off-street waiting spaces per window for approaching cars, plus 1 off-street waiting space per window for cars leaving

6. Business Uses, Amusement / Recreation -

Use	Minimum Number of Spaces Required
a. Bowling establishments	5 spaces per bowling lane
b. Commercial recreation facilities, enclosed or not enclosed	As determined by the Commission based on standards from ITE or other reference source
c. Amusement or entertainment facilities with fixed seats, such as theaters, auditoriums and sports arenas	1 space per 3 seats
d. Amusement or entertainment facilities, enclosed but without fixed seats, such as dance halls and billiard parlors	1 space per 200 SF of GFA

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3. INDUSTRIAL DISTRICTS
4. SPECIAL DISTRICTS
5. USE-RELATED-STANDARDS
6. BASIC STANDARDS
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7. Business Uses, Automotive -

Use	Minimum Number of Spaces Required
a. Automobile sales establishments	As determined by the Commission based on standards from ITE or other reference source
b. Carwashes	3 spaces per facility, plus 5 spaces stacking room per stall
c. Motor Vehicle service stations 1) with service bays 2) with sale of convenience items/food products/snacks	4 spaces per facility plus 2 spaces per bay plus 1 space per 150 SF of GFA devoted to such use
d. Automotive repair or service facilities	3 spaces per bay

8. Business Uses, Other -

Use	Minimum Number of Spaces Required
a. Commercial kennels or veterinary hospitals	1 space per employee, plus 1 per 400 SF of GFA
b. Funeral homes	1 space per 3 seats, (one seat = 18 linear inches of pew bench)
c. Studios of dance, photography, graphic design or similar artistic endeavor	1 space per 400 SF of GFA
a. Adaptive use of historic structures as permitted in a residence district	Except as provided in the Statutory Limitations subsection of Section 6.2, 2 spaces per dwelling unit plus 1 space per 300 SF of non-residential floor area (the limitation applies to the residential component).

START
1. RESIDENTIAL DISTRICTS
2. BUSINESS DISTRICTS
3. INDUSTRIAL DISTRICTS
4. SPECIAL DISTRICTS
5. USE-RELATED-STANDARDS
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9. Industrial / Storage Uses -

Use	Minimum Number of Spaces Required
a. Manufacturing or research facilities	1 space per 500 SF of GFA
b. Manufacturing or research facilities; Wholesaling or distribution facilities	1 space per 500 SF of GFA
c. Lumberyards, building materials suppliers	1 space per 400 SF of GFA of buildings, plus 1 per 1,000 SF of outdoor storage area
d. Building, construction, or landscape contractors' yards	As determined by the Commission based on standards from ITE or other reference source
e. Bus facilities; trucking terminals; trucking or courier services	As determined by the Commission based on standards from ITE or other reference source
f. Public warehousing or storage, excluding self storage	1 space per 1,000 SF of GFA
g. Self-service storage facilities	1 space per 1,000 SF of GFA; minimum of 5 spaces
h. Document or electronic data storage facility	1 space per 1,000 SF of GFA

10. Public and Semi-Public Uses -

Use	Minimum Number of Spaces Required
a. Theaters, auditoriums, or other places of public assembly	1 space per each 3 seats, or in places without seats, 1 per each 100 SF of floor space used for public assembly
b. Libraries, museums, art galleries, or similar uses	1 space per each 400 SF of GFA
c. Private schools	1 space per teacher, plus 1 per other staff member, plus 1 per each 10 pupils
d. Private clubs	1 space per member or family memberships; or 2 per maximum capacity of the facilities; whichever is less
e. Public utility substations	2 spaces
f. Hospitals, nursing or convalescent homes	1 space per 2 beds
g. Places of worship	1 space per 3 seats, (one seat = 18 linear inches of pew bench)
h. Child care centers and adult day care centers	1 space per employee, plus 1 space per 10 enrollees
i. Public or semi-public buildings not other- wise listed	As determined by the Commission based on standards from ITE or other reference source

E. Potential Reduction Of Parking Requirement.

The Commission may authorize a reduction in the number of parking spaces as follows:

1. **Area-Specific Parking Exemption** - The Commission may, after due notice and public hearings as required for adoption or amendment of these Regulations (Section 8.5), delineate areas which shall be exempt from the required provisions of off-street parking spaces under Section 6.2.C. Such delineation shall be shown on the Zoning Map and be made only after the Commission determines that multiple property owners, the Town of Watertown, or a combination of the Town and property owners, will provide sufficient and permanent off-street parking spaces to carry out the purpose and intent of this Section.

2. **Site Specific Parking Exemption** - The Commission may, by Special Permit approval in accordance with the provisions and standards of Section 8.4 and by 2/3 majority vote (5 members), authorize modification of off-street parking standards to reduce the amount of required parking in any Business District after the Commission determines that the available public and private parking within a reasonable distance shall be sufficient for the proposed use and shall carry out the purpose and intent of this Section.

3. **Reduction Of Cumulative Parking Requirement** - The Commission may, by Special Permit, reduce the cumulative number of required parking spaces for one property or multiple properties provided the Commission finds one or more of the following based on information provided by the applicant(s):
   a. Peak parking demands among uses occur at different hours of the day and this offset results in a lower net peak parking demand;
   b. Synergistic relationships among uses allow patrons to park once while accessing multiple locations or allow for multiple purpose trips to occur within the development(s);
   c. The uses are likely to generate transit, bicycle or pedestrian trips and accommodations have been made to support these alternative forms of transportation and/or.
   d. A functional and interconnected parking arrangement is provided within and between the properties and that an agreement for joint access and parking, in perpetuity, acceptable to the Commission is filed on the land records;

4. **Permanent Compact Space Parking Reduction**. In parking lots in excess of 50 spaces serving single-tenant office buildings where there is reasonable assurance of private control of these areas, the Commission may, by Special Permit, allow the installation of compact spaces, not to exceed 10% of the total number of spaces installed, at 8 feet by 16 feet. These spaces shall be clearly designated as compact car parking.

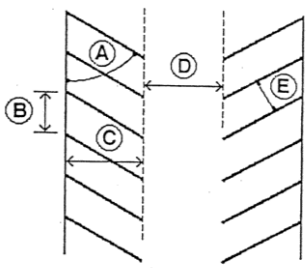
5. **Temporary Change of Use Exception** - In the event that no new buildings or structures are being established and the land area, structures or permitted uses are simply being changed from one permitted use to another permitted use allowed under these Regulations, no additional parking spaces shall be required provided that:
   a. The number of spaces that presently exist or will be provided on the property is at least ninety percent (90%) of the cumulative parking requirement for the new use(s) and other existing use(s) on the property, and
   b. No “grandfathering” or other exception shall be provided relative to any future use of such premises.

6. **Temporary Parking Installation Reduction**. The Commission may waive the immediate installation of up to 25% of the required parking spaces where sufficient evidence has been presented, in the judgment of the Commission, to show that the reduced parking facilities will adequately serve the proposed use. The reduction shall be applicable only to the particular use or occupancy of land, buildings, or other structures specified in the application, and such waiver shall become null and void in the event that such use or occupancy is changed to another use or occupancy. Before approval of a waiver by the Commission, the applicant shall show upon the site development plan the complete layout for the full parking requirements and the design of the complete stormwater management system designed to handle the deferred parking pavement. The owner shall file the plan approved by the Commission in the Office of the Town Clerk, stipulating that:
   c. The complete stormwater management system shall be installed at the time of initial development, and
   d. The owner, or the successor and assigns of the owner, will install as many of the waived parking spaces as the Commission deems necessary within six months of the Commission's request, when, in the opinion of the Commission, such installation is needed.

F. Layout and Dimensions of Parking

1. Except as otherwise specified herein, the minimum dimensional requirements for parallel, angled, and perpendicular parking spaces shall be as follows. The Commission may approve reduced dimensions for up to 10% of the required spaces to accommodate small cars.

Parking angle (degrees)	0	45	60	90
Curb length per space (feet)	23	13	10	9
Space depth (feet)	9	18	19	18
Access aisle width (feet)	15	15	18	25
Space width (feet)	9	9	9	9



Ⓐ	Parking Angle	0°	45°	60°	90°
Ⓑ	Curb Length per Space	23'	13'	10'	9'
Ⓒ	Space Depth	9'	18'	19'	18'
Ⓓ	Access Aisle Width	15'	15'	18'	25'
Ⓔ	Space Width	9'	9'	9'	9'

2. Parallel and angled parking spaces shall be served by one-way access aisles only, unless otherwise approved by the Commission.

3. Perpendicular (90 degree) parking spaces shall be served by two-way access aisles only, unless otherwise approved by the Commission.

4. Where necessary to control traffic flow, directional arrows shall be painted on the surface of access aisles or driveways, and directional signs shall be installed.

5. No parking space shall be designed or constructed in a manner that would require a vehicle to use any part of a public street to enter, back into and/or exit from such space, except for parking spaces in driveways which serve sing–e - or two-family dwellings.

6. Unless otherwise approved by the Commission (such as for implementation of low-impact development approaches to stormwater management) and except for parking spaces in driveways which serve single- or two-family dwellings, the perimeter of all parking area, islands, and driveways shall be curbed, to prevent damage to landscaping and lighting and to prevent interference with pedestrian use of walkways.

7. All parking spaces shall be delineated by painted lines, except for parking spaces in driveways which serve single- or two-family dwellings.

G. Location of Parking

1. **General Location** –
   a. Off-street parking spaces shall be located on the same lot as the principal use they are designed to serve except that, at the time of Site Plan approval, the Commission may, provided that arrangements satisfactory to the Commission shall have been made to guarantee long-term access to and use of such spaces, allow all or a portion of the required parking spaces to be located on land within 500 feet of the main building entrance of the use being served either:
      1) On a separate lot under the same ownership as the use being served,
      2) On a separate lot under different ownership than the use being served, or
      3) On a municipal parking area,.
   b. No parking area which serves a use in a Business or Industrial District shall be permitted on land in a Residence District and no access to such parking area shall be permitted across land in a Residence District.

2. **Setbacks From Property Lines** –
   a. In Business and Industrial zones, no parking area or portion thereof, including parking spaces, driveways, and access aisles, shall be located within 10 feet of any side or rear property line except for shared driveways and shared access aisles between adjoining properties.
   b. In Business and Industrial zones, no loading area or portion thereof, including driveways and access aisles, shall be located within 10 feet of any side or rear property line except for shared driveways and shared access aisles between adjoining properties.
   c. In Residential zones, no parking area or portion thereof, including parking spaces, driveways, and access aisles, shall be located:
      1) Within the required front yard, except for driveways directly from the street or driveways and associated turnarounds which serve as parking areas for single-family dwellings.
      2) Within 5 feet of any side or rear property line except for shared driveways and shared access aisles between adjoining properties. A paved turnaround which allows a vehicle to be reoriented so that it may enter the street in a forward movement may be located within one foot of any side or rear property line.
   d. No grading for any parking area, driveway or aisle shall create a slope to any adjacent property line of greater than one foot vertical to two feet horizontal.

3. **Setback From Buildings** – No parking area or portion thereof, including parking spaces, driveways, and access aisles, shall be located within six feet of any portion of a building other than for garage entrance or loading area aprons. Such six-foot clear area shall be used for walkways, plantings, or other landscaping.

Also see Section 6.9 for provisions related to driveways.

H. Parking Structures

1. Parking spaces may be located beneath, attached to, or within the principal structure they are intended to serve or in a detached structure. A parking structure shall be considered an accessory use for purposes of these Regulations unless said structure shall be the only use on the parcel of land.

2. Parking structures which are not part of the principal structure shall not be closer than 25 feet to the principal structure.

I. Handicapped Parking

1. Handicapped parking spaces shall be provided and the number, size, designation, location and markings of parking spaces for the handicapped shall be as per Connecticut General Statutes.

2. Parking spaces for the physically handicapped shall be located as close as possible to ramps, walkways and building entrances.

3. Parking spaces shall be so arranged as to eliminate or minimize the need for physically handicapped persons to wheel or walk behind parked cars to reach entrances, ramps and walkways.

4. All parking spaces for the handicapped that are provided shall be credited to the total required number of parking spaces.

J. Use of Parking Facilities

1. Required parking areas to serve specific structures and uses shall be reserved at all times for those persons who are employed at, or make use of, such structures and land uses, except when dedicated to and accepted by the Town as public parking areas or when approved as a shared parking facilities by the Commission.

2. Required off-street parking and loading facilities which, after development, are later dedicated to and accepted by the Town, shall be deemed to continue to serve the uses or structures for which they were originally provided.

K. Off-Street Loading Requirements

1. Off-street loading and unloading facilities shall be provided as follows, except that, in granting Site Plan approval, the Commission may:
   a. Require additional off-street loading facilities where the Commission determines that the nature of the use(s) will need additional loading facilities..
   b. Allow fewer off-street loading facilities where the Commission, based on information provided by the applicant, determines that the nature of the use(s) will not need as many loading facilities as prescribed herein.

Use	Minimum Off-Street Loading Spaces Required
Sites containing retail businesses, service business establishments, restaurants, and/or other places serving food and drink • 3,000 to 12,500 SF of GFA • 12,501 to 30,000 SF of GFA • Over 30,000 SF of GFA	• 1 loading space • 2 loading spaces • 3 loading spaces plus 1 additional loading space per 20,000 SF of GFA
Sites containing manufacturing, industrial, warehousing, and/or wholesale establishments • 5,000 to 15,000 SF of GFA • 15,001 to 40,000 SF of GFA • Over 40,000 SF of GFA	• 1 loading space • 2 loading spaces • 3 loading spaces plus 1 additional loading space per 30,000 SF of GFA
Sites containing offices • Up to 40,000 SF of GFA • 40,001 to 125,000 SF of GFA • Over 125,000 SF of GFA	• 1 loading space • 2 loading spaces • 3 loading spaces plus 1 additional loading space per 75,000 SF of GFA
Hospitals, nursing homes, congregate housing, and similar facilities	• 1 per 120 patient beds or part thereof
Other uses not listed	• As determined by the Commission

2. Each off-street loading space shall have a width of at least 15 feet, a length of at least 40 feet and a height of at least 14 feet. Where the Commission determines in the course of a Site Plan review that spaces of such size are not required for the proposed site use, the Commission may permit a reduction of loading space size to not less than 10 feet in width 25 feet in depth and 14 feet in height. Where determined necessary in the course of a Site Plan review, the Commission may require loading area dimensions adequate for the proposed site use.

3. No off-street loading space or access aisle in connection therewith shall be located in the area required for setback for a street line, property line, or Residence District boundary line.

L. Drive-Through Facilities

1. No Site Plan or Special Permit shall be approved for a drive-through facility within 500 feet of another facility providing a drive-through.

2. Unless otherwise approved by the Commission, any drive-through facility window shall be located and/or screened so that it is not visible from the street.

3. Except for a drive-through facility that exits directly or indirectly to a state highway at a traffic light controlled intersection, an applicant for Site Plan or Special Permit approval of any use including a drive-through facility must demonstrate that the stacking lane area designated for the drive-through can accommodate not less than twelve vehicles on site. This requirement shall apply in addition to the normal parking requirements for the proposed use.

4. The Site Plan for any development with a drive-through shall include appropriate pedestrian walkways and appropriate lanes for bypass traffic to enter and exit the site with additional landscape areas.

M. Electric Vehicle Charging

Property owners and developers are encouraged to plan ahead for the future demand for EV chargers and to provide sufficient space and expansion capacity in underground conduits, electrical equipment, and other components of the system.

1. **Purpose** - The following provisions are intended to enable electric vehicle charging facilities subject to reasonable conditions to protect the environment, public health, safety, and welfare.

2. **When Allowed / Required** - Subject to the provisions of Section 6.2.I.3, below, electric vehicle charging stations (EVCS) are:
   a. Allowed as an accessory use in all zoning districts.
   b. Not allowed as a principal use of property unless approved by the Commission by Special Permit.
   c. Required in all districts as part of new construction, expansion of parking areas, and/or significant change in use which will result in the addition of 30 or more parking spaces and:
      1) At least ten percent (10%) of all parking spaces being added shall, unless modified by the Commission, have ”Level 2” or higher charging apparatus installed and activated (208 to 240 volt alternating current connected to a 40 ampere or higher capacity circuit), and
      2) Another ten percent (10%) of all parking spaces being added shall have ”Level 2” or higher charging infrastructure installed (conduit, panel capacity, circuit breakers, etc.).

3. **Provisions:**
   a. Application of Setbacks - Notwithstanding any other section of these Regulations, the apparatus associated with an electric vehicle charging station:
      1) Shall not be required to adhere to side yard or rear yard setback requirements.
      2) Shall comply with the minimum front yard setback requirement.
   b. Reduction Of Parking Spaces - The installation of EVCS shall not reduce the number of parking spaces or the dimensions of any parking space below that required by these Regulations except that the Commission may allow the use of compact car spaces (16’ depth) and/or a reduction of up to 5% in the number of parking spaces as part of retrofitting an existing parking area for operational EVCS (due to loss for above ground equipment installation).
   c. Equipment Installation - EVCS equipment (including cords) shall be located and installed so as not to impede pedestrian or vehicular travel or create injury hazards for pedestrians.
   d. Signage - EVCS equipment may include signage or electronic displays that provide operating instructions but a Special Permit shall be required for;
      1) Any signage or display exceeding one square foot (144 square inches) in cumulative area per charging station.
      2) Any advertising display (video) or audible sound (audio).

N. Improvement and Maintenance

1. All parking and loading facilities shall be properly graded, surfaced, drained and suitably maintained to the satisfaction of the Town Engineer, to the extent necessary to avoid nuisances of dust, erosion, or excessive water flow across public ways or adjacent lands.

2. Required off-street parking and loading facilities may be enclosed in a structure or may be open, except as otherwise required.

3. Required off-street parking and loading facilities shall be properly maintained as long as the use or structure exists which the facilities are designed to serve.

O. Non-Conforming Off-Street Parking and Loading

1. Any lawful lot, use, building, or other structure which does not conform to one or more of the parking and loading provisions of Section 6.2, shall continue to conform to such provisions to the extent that it conformed on the effective date of such Section.

2. Any use of land, buildings, or other structures which does not conform to one or more of the provisions of Section 6.2 shall not be changed to a use that would need substantially additional off-street parking or loading spaces to comply with Section 6.2 unless the Commission approves modified parking standards in accordance with Section 6.2.D.

6.3. Landscaping, Screening, and Buffering

A. Purpose

The purpose of these standards is to improve and maintain the aesthetic and environmental quality of the Town, preserve areas of significant natural vegetation, visually screen unsightly features of sites, facilitate stormwater management, and provide buffers to minimize the impact of potentially incompatible land uses.

In addition, this Section is intended to:

- preserve and/or enhance the appearance of off-street parking and loading areas
- provide natural visual screening of parking and loading areas;
- moderate the microclimate of parking areas by providing shade absorbing reflected heat from paved surfaces and creating natural wind breaks;
- ensure public safety by using landscaping materials to define parking and loading areas and manage internal vehicular and pedestrian circulation; and
- enhance the overall aesthetic quality of parking and loading areas by providing a variety of landscaping materials.

B. Applicability

All developments which require Site Plan approval in accordance with Section 8.3 shall be landscaped in accordance with a plan conforming to the requirements of this Section.

C. General Standards for Landscaping

1. **Acceptable Species** –
   a. All shrubs and trees shall be native species to Connecticut, or otherwise suitable for the soil, climate, and other growing conditions of the site. The species selected should be able to thrive without requiring excessive water or fertilization.
   b. All plant material shall be nursery grown and conform to the standards of the American Association of Nurserymen.
   c. Trees, shrubs, and groundcover within five feet of any paved areas, or which receive drainage from paved areas, shall be of a variety capable of withstanding damage from salt.

2. **Existing Vegetation**–
   a. Existing trees shall be retained if possible. If grading is required in their vicinity, existing trees shall be appropriately welled or mounded to protect them from damage.
   b. No trees eight inches or greater in caliper, measured three feet above ground, shall be removed unless so approved by the Commission.
   c. Landscaped areas on sites being developed may, with the approval of the Commission, include land left in its natural state if doing so is consistent with the intent and purpose of this Section.

3. **Size / Type of Planted Materials** –
   a. Major trees shall include any of the appropriate varieties of shade trees, ornamental trees, or evergreens.
   b. Shrubs shall include any of the appropriate varieties of evergreen or deciduous plants.
   c. At the time of planting, trees shall be of the following minimum size.
      1) Shade trees - 3" caliper measured at four feet above grade.
      2) Evergreen trees - 7' height.
      3) Flowering trees - 2" caliper, single stem, 8' height, clump form.

4. **Ground Cover** –
   a. Mulched planting beds of an appropriate size shall be placed around all trees and shrubs to retain moisture. Acceptable mulching material shall be bark, woodchips, gravel, or stone, at least four inches in depth.
   b. Suitable ground cover shall be placed on all disturbed site areas not covered by paving, buildings, or mulching for trees and shrubs. Suitable ground cover shall be grass, turf, myrtle, pachysandra, stone, gravel, or an appropriate substitute.
   c. A maximum of 10% of the landscaped area may be covered by stone or gravel. All such areas shall include an impenetrable barrier under the stone or gravel to prevent weeds.
   d. No stone or gravel shall be used for planting beds or ground cover within four feet of pedestrian walkways or paved areas unless the material is suitably contained within its area.

5. **Building Landscaping Required** - No paved surface, except for entry ways or terraces, shall be permitted within six feet of any principal structure.

6. **Maintenance Required** –
   a. Landscaping shall be maintained in a healthy growing condition at all times.
   b. The property owner shall be responsible for regular weeding, mowing of grass, irrigating, fertilizing, pruning, and other maintenance of all plantings as needed.
   c. Any plant that dies shall be replaced with another living plant that complies with the approved landscape plan within 90 days after notification by the ZEO, or during the earliest appropriate time of the appropriate planting season.

D. Landscape and Screening Standards for Parking Lots

Landscaping and screening for parking areas shall comply with the following:

1. **Minimum Percentage Area** –
   a. In off-street parking lots of 10 or more parking spaces, at least 10% of the parking area shall be suitably landscaped with appropriate trees, shrubs, and other plant materials and ground cover.
   b. Such landscaping shall be subject to approval by the Commission, based upon consideration of the adequacy of the proposed landscaping to assure the establishment of a safe, convenient, and attractive parking lot which needs a minimum amount of maintenance, including plant care, snow plowing, and the removal of leaves and other debris.

2. **Location / Configuration Of Landscaped Areas In Parking Lots** –
   a. Landscaped areas shall be provided in parking lots, distributed among end islands, interior islands and planting strips.
   b. There shall be allocated:
      1) At least 20 square feet of net planting area per parking space, and
      2) At least one shade tree and three shrubs per 12 parking spaces or major fraction thereof.
   c. There shall be no more than 12 contiguous parking spaces without an interior or end island.

3. **End Islands** - End islands shall be:
   a. Provided at each end of each row of parking spaces;
   b. Curbed and landscaped; and
   c. A minimum of 9 feet wide by 17 feet long for a single row of spaces and 9 feet wide by 34 feet long for a double row of spaces.

4. **Interior Islands** - Interior islands shall be:
   a. Provided within the parking area in an arrangement subject to approval by the Commission;
   b. Curbed and landscaped; and
   c. A minimum of 9 feet wide by 17 feet long for a single row of spaces and 9 feet wide by 34 feet long for a double row of spaces.

5. **Planting Strips** - Planting strips shall be:
   a. Provided in every other set of interior parking spaces between abutting rows of spaces;
   b. Curbed and landscaped; and
   c. A minimum width of 10 feet (15 feet if a pedestrian walkway is provided).

6. **Screening Of Parking Areas** - Screening shall be provided for parking areas visible from adjacent properties or from the street. Acceptable screening materials shall include:
   a. Evergreen hedges having a minimum height, of four feet at the time of planting;
   b. Earthen berms, when covered with shrubs, trees and/or groundcover, except grass, stone or gravel;
   c. Fences of timber construction or masonry walls, if approved by the Commission; or
   d. Any combination of the above materials.

7. **Acceptable Tree Species** - Trees in or adjacent to parking lots shall:
   a. **B**e in accordance with Section 6.3.C.1, and
   b. Be of a variety suitable for a parking lot environment which provide shade or are capable of providing shade at maturity.

E. Visual Screening

1. Any outdoor storage or process (excluding outdoor sales displays), loading areas, ground-fixed mechanical equipment, or refuse storage areas, visible from the street or adjacent properties shall be screened utilizing, but not limited to, the following measures:
   a. Evergreen hedges having a minimum height of seven feet at the time of planting;
   b. Fences of timber construction, of a suitable height;
   c. Masonry walls of a suitable height;
   d. Earthen berms, when covered with shrubs, trees and/or groundcover except grass, stone or gravel; or
   e. Any combination of the above materials or other means as deemed appropriate by the Commission to achieve visual screening.

F. Landscaped Buffers

1. Landscaped buffers shall be provided between any use in a Business or Industrial District and an adjacent Residential District, or between any non-residential or three-family or multi-family residential use and adjacent uses in a Residential District or between any self-storage facility with outside storage and any residential dwelling located in the same district.

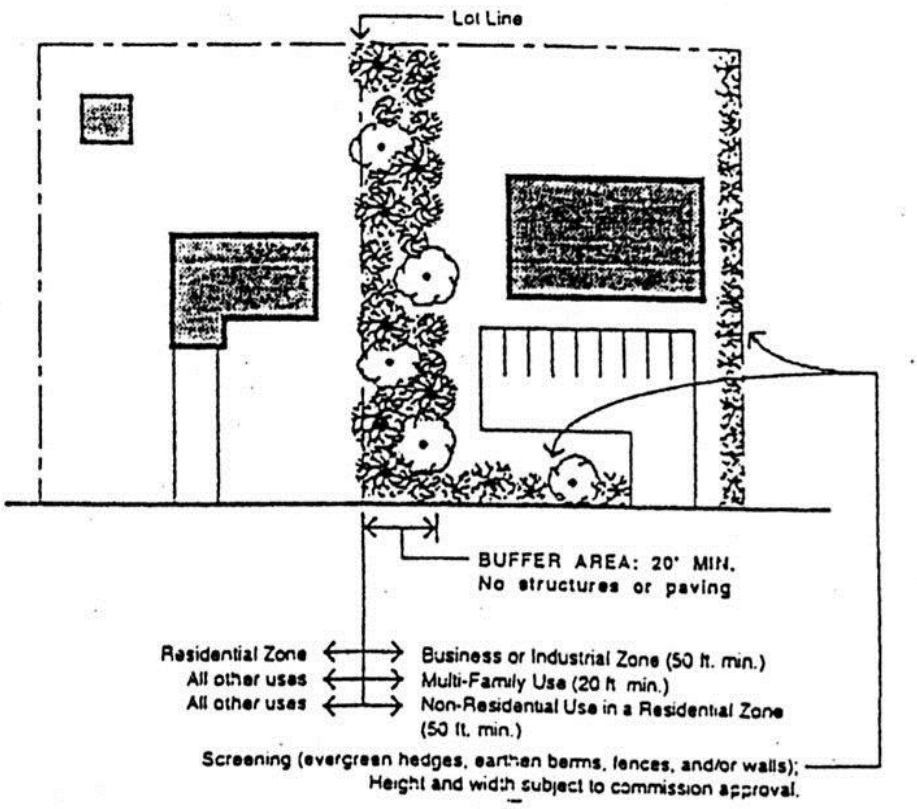
2. The minimum width of a buffer shall be 20 feet for three-family or multi-family residential uses and 50 feet for non-residential uses between adjacent residential uses.

3. A buffer shall be sufficiently landscaped with continuous evergreen trees or hedges having a minimum height of five feet and providing appropriate screening and separation.

4. No paving shall be allowed within a buffer.

5. The Commission may reduce or waive the landscaped buffer requirement by approving the substitution of screening with fencing or walls in accordance with the requirements of Section 6.3.D.

Buffer Requirements



6.4. Lighting

A. Purpose

The purpose of these Regulations is to provide specific standards in regard to lighting, in order to maximize the effectiveness of site lighting, to enhance public safety and welfare, to raise public awareness of energy conservation, to avoid unnecessary upward illumination and illumination of adjacent properties, and to reduce glare.

B. Applicability

Except as herein provided, this Section shall apply to any outdoor lighting fixture installed, modified, refurbished, repaired, or serviced within the Town of Watertown on any site located in Non-Residential Districts and for any Special Permit use in Residential Districts.

Traditional seasonal lighting and temporary lighting used by Police, Fire Department, or Emergency Services shall be exempt from these Regulations.

C. Definitions

DIRECT LIGHT - Light emitted directly from the lamp, off of the reflector or reflector diffuser, or through the refractor or diffuser lens, of a luminaire.

FULL CUT-OFF FIXTURE - a luminaire or light fixture that by design of the housing, does not allow any light dispersion or direct glare to shine above a 90-degree horizontal plane from the base, or the purpose of the design is defeated, and disability glare will result.

HEIGHT OF LUMINAIRES - The height of luminaires shall be the vertical distance from the ground directly below the centerline of the luminaires to the lowest direct light emitting part of the luminaire.

INDIRECT LIGHTING - Direct light that has been reflected or has scattered off of other surfaces.

ISODIAGRAM - A graphical representation of points of equal illumination drawn as a single line circular patterns or computer-generated spot readings in a grid pattern on a site plan, generated to show the level and evenness of a lighting design and to show how light fixtures will perform on a given site.

LAMP - The light source component of luminaires that produces actual light.

LAMP POLLUTION - Stray or reflected light that is emitted into the atmosphere beyond the 90-degree horizontal plane or reflected by dust, water, vapor, and other pollutants causing unwanted sky-glow.

LIGHT TRESPASS - Light from an artificial light source that is intruding into an area where it is not wanted or does not belong.

LUMEN - A unit of luminous flux. One foot candle is one lumen per square foot. For the purpose of these Regulations, the lumen output values shall be the initial lumen output ratings of a lamp.

LUMINAIRE - A complete lighting system which includes a lamp or lamps and a fixture.

OUTDOOR LIGHTING - The night-time illumination of an outside area or object by any man-made device located outdoors that produces light by any means.

QUANTITY - For the purpose of measuring the intensity of light, the amount of brightness, glare or luminescence for which these Regulations establish acceptable limits in terms of candlepower for a point source and lumens per square foot (foot lamberts) for an area source.

RATIO - Uniformity ratio describing the average level of illumination in relation to the lowest level of illumination for a given area. Example - U. ratio = 4:1 for the given area, the lowest level or illumination should be no less than ¼ the average level of illumination.

SHIELDED - Shielded light fixtures allow control of the glare in any direction.

UP LIGHTING - Any light source that distributes illumination above a 90-degree horizontal plane.

D. Lighting Plan

Outside lighting for non-residential and multifamily uses shall be subject to a Site Plan review and shall be accompanied by a lighting plan showing the following:

1. The location, height and type of any outdoor lighting luminaries, including building mounted.

2. The luminaire manufacturer's specification data, including lumen output and photometric data showing cut off angles.

3. The type of lamp, e.g., metal halide, compact fluorescent, high pressure sodium.

4. If required by the Commission, an isodiagram showing the intensity of illumination expressed in foot candles at ground level.

START
1. RESIDENTIAL DISTRICTS
2. BUSINESS DISTRICTS
3. INDUSTRIAL DISTRICTS
4. SPECIAL DISTRICTS
5. USE-RELATED-STANDARDS
6. BASIC STANDARDS
7. SPECIAL STANDARDS
8. PROCEDURES
9. REGULATORY FRAMEWORK
10. WORDS AND TERMS

E. General Requirements

Outdoor lighting on sites located in Non-Residential Districts and for any Special Permit uses in Residential Districts shall comply with the following standards.

1. All business, residential, and community roadways, sidewalks, and Town property luminaries should be planned and installed with the idea of avoiding light intrusion on neighboring properties and abutting properties or roadways, both public and private.

2. All exterior lights and illuminated signs shall be designed, located, installed, and directed in such a manner as to prevent objectionable light at (and glare across), the property lines and disability glare at any location on or off the property.

3. Any LED lighting shall have a temperature rating of 3000 degrees Kelvin or lower, unless specifically authorized by the Commission for good cause shown.

4. The following Maintained Horizontal Illuminance Recommendations (foot-candles) set forth by the Illumination Engineering Society of North American (IES) as amended shall be observed unless alternative standards are approved by the Commission.

IES Parking Lot Levels Of Activity	Examples	IES Maintained Horizontal Illuminance Recommendations (foot-candles)					
		General Parking and Pedestrian			Vehicle Use Only		
		Average	Minimum	Uniformity Ratio	Average	Minimum	Uniformity Ratio
High	• Regional Shopping Centers (300+ KSF) • Fast Food Facilities (40+ seating capacity) • Automotive Dealerships • Major Cultural / Civic Events • Entertainment Theaters • Major League Athletic Events	3.6	0.9	4:1	2.0	0.67	3:1
Medium	• Residential Complex Parking • Community Shopping Ctr (5 KSF to 300 KSF) • Office Parks • Hospital Parking • Transportation Parking (Commuter Lots, Etc.) • Cultural / Civic / Recreation Events • Major League Athletic Events	2.4	0.6	4:1	1.0	0.33	3:1
Low (IES states this recommendation is based on the requirement to maintain security in areas where there is a low level of nighttime activity.)	• Neighborhood Shopping Centers (< 5 KSF) • Industrial Employee Parking • Educational Facility Parking • Church Parking	0.8	0.2	4:1	0.5	0.12	4:1

5. All lighting for parking and pedestrian areas shall be full cut off type fixtures.

6. Lighting for display, building, and aesthetics shall be from the top and shine downward, not up lighted, except as otherwise provided. The lighting must be shielded to prevent direct glare and/or light trespass and must also be, as much as physically possible, contained to the target area.

7. All building lighting for security or aesthetics shall be full cut off or a fully shielded/recessed type, not allowing any upward distribution of light.

8. Flood lighting is prohibited.

9. Adjacent to residential property and in all Residential Districts, no direct light source shall be visible at the property line at ground level or above.

10. Motor vehicle service stations shall maintain illumination recommendations set by the Illuminating Engineering Society of North American. All area lighting shall use full cutoff fixtures. Lighting under canopies shall be recessed so that the lens is recessed or flush with the bottom surface, to reduce off site glare for roadways.

11. All street lighting shall use full cut-off fixtures.

12. Where playing fields or other special activity areas are to be illuminated, lighting fixtures shall be specified, mounted, and aimed so that their beams fall within the primary playing area and immediate surroundings, and so that no direct illumination is directed off the site.

13. Lighting shall employ soft, transitional light levels, which are consistent from area to area and shall minimize contrast between light sources, lit areas, and dark surrounds.

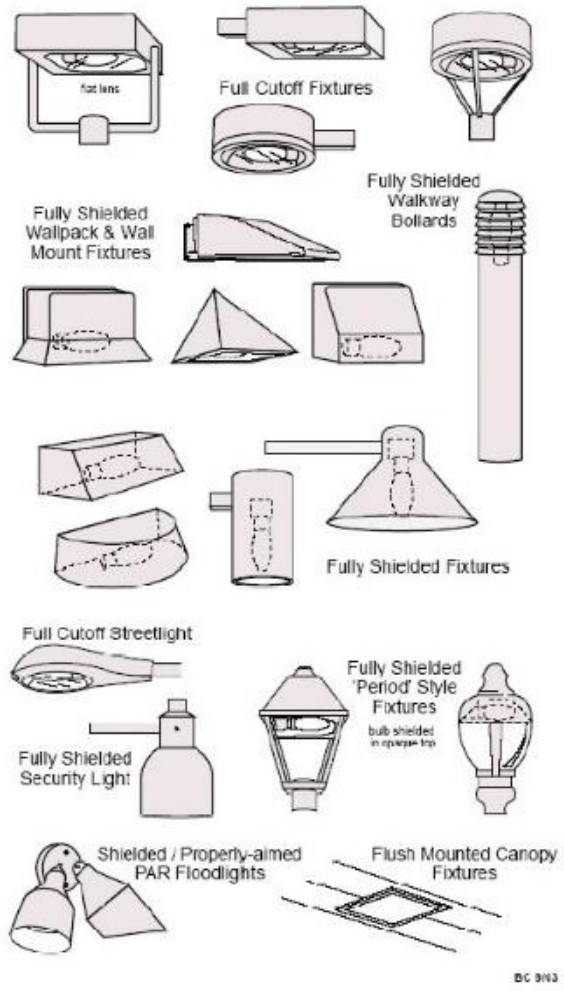
14. All non-essential lighting shall be turned off after business hours, leaving only the necessary lighting for site security. Motion or infrared sensor lighting is encouraged. Non-essential lighting shall include display, aesthetic, parking, and sign lighting.

15. Lighting designed to highlight flagpoles shall be low level and should be targeted directly at the flag.

16. The height of luminaries, except streetlights in public right of ways, shall be the minimum height necessary to provide adequate illumination, but shall not exceed a height of 30 feet.

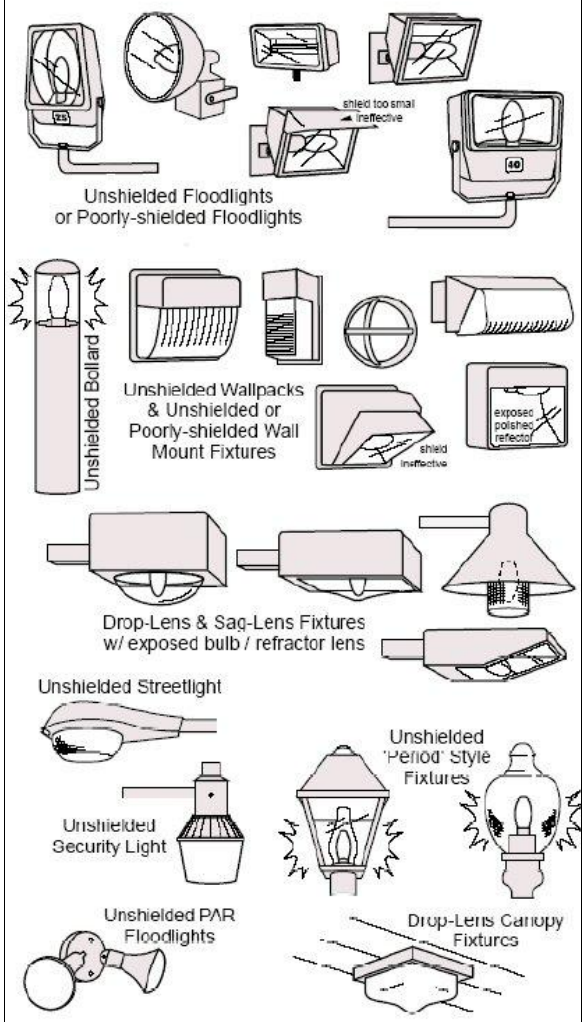
Encouraged / Required

Fixtures that shield the light source to minimize glare and light trespass and to facilitate better vision at night



Discouraged / Prohibited

Fixtures that produce glare and light trespass



F. Modifications

The Planning and Zoning Commission may grant a Special Permit modifying the requirements of this Section under the following circumstances, provided it determines that such modification is consistent with the purpose of these Regulations.

1. Where an applicant demonstrates that an extraordinary need for security exists.

2. Where an applicant demonstrates that conditions hazardous to the public, such as steep embankments or stairs, may exist in traveled ways or areas.

3. Where a minor change is proposed to an existing non-conforming lighting installation such that it would be unreasonable to require replacement of the entire installation.

4. Where special lighting is indicated for historic buildings.

5. Where special consideration is given to maintain a uniformity with similar uses in the immediate vicinity.

6. Where ornamental up-lighting of sculpture, buildings or landscape features will enhance the characteristics of the area.

G. Lighting Adjacent To Residential Uses

In Residential Districts (or from any property used strictly for residential uses in all other Districts), the source of light (lamp or reflectors contained within the luminaire) shall not be visible from beyond the boundaries of the property on which they were installed.

6.5. Stormwater Management

A. Purpose

This Section of the Regulations is intended to:

- Minimize degradation of water resources (including, for example, but not limited to Long Island Sound and its tributaries) from pollution from non-point source runoff;
- Mitigate impacts to the hydrologic system from development, including reduced groundwater recharge and pollutants found in stormwater runoff;
- Reduce or prevent flooding, stream channel erosion, and/or other negative impacts created by the volume of stormwater runoff resulting from development; and
- Promote the application of low impact development (LID) strategies for the analysis and design of stormwater treatment systems.

B. Applicability

This Section of the Regulations shall apply to all developments which require approval of a Site Plan, approval of a Special Permit, approval of a subdivision, or similar development.

C. Definitions

Directly Connected Impervious Area – An area where stormwater is conveyed directly from an impervious surface to a storm drain or a waterway.

Disconnected Impervious Area - An area where stormwater from an impervious surface runs off into a permeable area, such as a lawn.

Low Impact Development (LID) – Systems and practices for stormwater management that use or mimic natural processes and result in the infiltration, evapotranspiration, and/or use of stormwater in order to protect water quality and associated aquatic habitat (also called "green infrastructure").

MS4 – An acronym referring to a municipal separate storm sewer system (MS4) which is subject to state and federal requirements for managing stormwater.

Infiltration Island

Bio-Swale

D. Requirements

1. All developments subject to this Section of the Regulations shall implement low impact development (LID) and best management practices for stormwater wherever and whenever feasible.

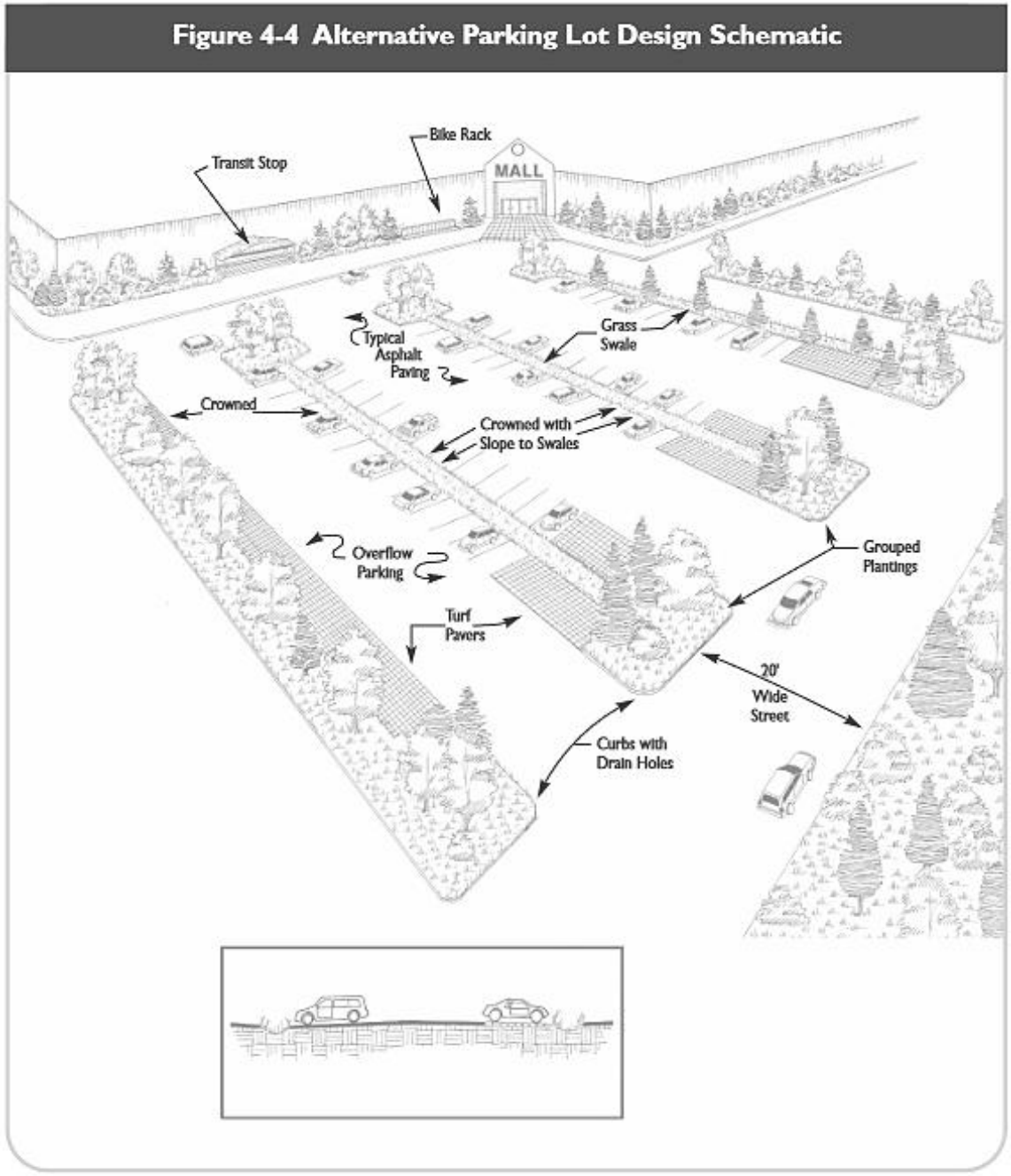
2. When considering issues of overall site design, storm water drainage and infrastructure design, all designers shall first consider LID best management practices which shall include, for example, but not be limited to:
   a. Runoff reduction site planning and development practices,
   b. Hydrologic design elements (infiltration, retention and detention, bio-filters/swales),
   c. Permeable pavement elements and disconnected impervious surfaces,
   d. Roadway, parking lot, driveway and circulation design elements,
   e. Structural design elements (rain water harvesting and foundation plantings),
   f. Landscaping design elements (soil amendments, street trees, selection of native plant species),
   g. Rain gardens for storm water infiltration, sand
   h. Green roofs.

3. Specifically, the applicant shall consider the following elements:
   a. Minimize the amount of impervious surfaces (roads, parking lots, roofs, etc.);
   b. Preserve, protect, create and restore ecologically sensitive areas that provide water quality benefits and serve critical watershed functions;
   c. Implement stormwater management practices that prevent or reduce thermal impacts to streams, including requiring vegetated buffers along waterways, and disconnecting discharges to surface waters from impervious surfaces such as parking lots;
   d. Seek to avoid or prevent hydro-modification of streams and other water bodies caused by development, including roads, highways, and bridges;
   e. The use of retention and/or detention facilities to promote infiltration, reduce peak runoff flows, and remediate runoff,
   f. Implement standards to protect trees, and other vegetation with important evapotranspiration qualities; and
   g. Implement policies to protect native soils, prevent topsoil stripping, and prevent compaction of soils.

4. The design, installation, and operation of a stormwater management facilities and systems shall be in accordance with the Connecticut Stormwater Quality Manual (CSQM), as amended, especially with regard to:
   a. Stormwater Management Standards And Performance Criteria (Chapter 4); and
   b. Stormwater Management Plan (Chapter 12).

5. Unless modified by the Commission as provided in Section 6.5.E below, any development shall implement the following provisions of Chapter 4 of the 2024 Connecticut Stormwater Quality Manual (CSQM), as amended:
   a. Standard 1 – Runoff Volume And Pollutant Reduction,
   b. Standard 2 – Stormwater Runoff Quantity Control,
   c. Standard 3 – Construction Of Soil Erosion And Sediment Control,
   d. Standard 4 – Post-Construction Operation And Maintenance,
   e. Standard 5 – Stormwater Management Plan.

Graphic From 2004 Connecticut Stormwater Quality Manual Illustrating Conceptual Site Layout Using LID Techniques



Source: Metropolitan Council, 2001 (adapted from Robert W. Droll, ASLA, in Wells 1994).

6. For development of new sites and redevelopment of existing sites resulting in Directly Connected Impervious Area (DCIA) of forty percent (40%) or more:
   a. one-half (50%) of the water quality volume for the site shall be retained on-site; or
   b. in cases where one-half (50%) of the water quality volume cannot be retained, the Commission may, in accordance with Section 6.D.5 below, approve an alternate retention/treatment standard where the applicant:
      - submits a report detailing the factors limiting the accomplishment of this standard;
      - demonstrates that the runoff volume has been retained to the maximum extent achievable using control measures that are technologically available and economically practicable and achievable in light of best industry practice; and
      - a drainage improvement is made elsewhere to accomplish the water quality volume standard or a fee is deposited into a dedicated Town account for to fund the retrofit of DCIA elsewhere.

7. For development of new sites and redevelopment of existing sites resulting in Directly Connected Impervious Area (DCIA) less than forty percent (40%):
   a. the entire water quality volume for the site shall be retained; or
   b. in cases where the entire water quality volume cannot be retained, the Commission may, in accordance with Section 6.D.5 below, approve an alternate retention/treatment standard where the applicant:
      - submits a report detailing the factors limiting the accomplishment of this standard; and
      - demonstrates that the runoff volume has been retained to the maximum extent achievable using control measures that are technologically available and economically practicable and achievable in light of best industry practice.

8. Grading shall not be done in such a way so as to divert water onto the property of another landowner without the expressed written consent of that landowner.

9. If and where appropriate, the Commission may accept or require:
   a. a drainage improvement elsewhere to accomplish the water quality volume standard; or
   b. a fee that will deposited into a dedicated Town account to fund the retrofit of DCIA elsewhere.

10. In the event that drainage of the premises requires the provision of off-site drainage improvements, the developer shall design, install and pay for such improvements as required by the Commission based on the recommendations by the Town Engineer.

11. Every application subject to the provisions of this Section shall provide and comply with a long-term maintenance plan and schedule to ensure the performance and pollutant removal efficiency of privately-owned retention ponds, detention ponds and other stormwater basins that discharge to or receive discharge including short-term and long-term inspection and maintenance measures to be implemented by the private owner and such written narrative, schedule and plan shall be in accordance with:
    a. the 2024 Connecticut Stormwater Quality Manual, as amended;
    b. any Stormwater Management Plan established for the Town of Watertown in accordance with the requirements of the "General Permit for the Discharge of Stormwater from Small Municipal Separate Storm Sewer Systems" as issued by the Connecticut DEEP; and
    c. the "Connecticut Guidelines for Soil Erosion and Sediment Control" (2024), as amended.

12. All drainage improvements shall be constructed in accordance with applicable Town standards.

E. Modifications

1. The Commission may modify the requirements of this Section provided:
    a. adequate information has been submitted by the applicant to evaluate the request and the Town Engineer has provided a positive recommendation regarding the modification; or
    b. the proposal falls below the thresholds identified in CSQM Section 9.1.

6.6. Environmental Performance Standards

A. Purpose

The purpose of these performance standards is to establish certain standards of nuisance which, if committed or exceeded in the use of land, buildings, or other structures, will be detrimental to the use, enjoyment, and value of other land, buildings, and structures; will be detrimental to the public health, safety, and welfare; and will be contrary to the Comprehensive Plan of Zoning.

B. Applicability

All uses of land, buildings, and other structures, wherever located, shall be established and conducted so as to conform to the performance standards of this Section. These performance standards shall be of continuing application.

C. Administration

1. No Zoning Permit or Certificate of Zoning Compliance shall be issued by the ZEO without a determination that the proposed use of land, buildings, and other structures will be established and conducted in accordance with these performance standards and with the standards stated in other relevant Town, State, and Federal codes, ordinance, or regulations.

2. The Zoning Enforcement Officer ("ZEO") is authorized to make surveys and take measurements to determine compliance.

D. Water Pollution

1. No discharge into any watercourse, groundwater, wetlands, or storm sewers shall be permitted except in accordance with applicable Town, State, and Federal requirements.

E. Noise

(see Chapter 12, Article 2 in the Watertown Code of Ordinances)

F. Refuse

(see Chapter 24 in the Watertown Code of Ordinances)

6.7. Erosion and Sediment Control

A. Purpose

This Section is intended to prevent or minimize soil erosion and sedimentation as part of any development activity within Watertown.

B. General Requirements

1. All development shall establish, implement, and maintain soil erosion and sediment controls in accordance with the publication entitled "Connecticut Guidelines for Soil Erosion and Sediment Control", as amended.

2. Erosion and sediment control measures and facilities shall be in place prior to the start of development and a financial guarantee for erosion and sediment control in a form and amount acceptable to the Town Engineer shall be filed with the Town.

3. Erosion and sediment control measures and facilities shall be maintained in effective condition and in accordance with any approved Control Plan until disturbed areas are stabilized.

4. During development, the Zoning Enforcement Officer and/or the Town Engineer may inspect a site at any time to review sediment and erosion control measures, ensure compliance with any approved Control Plan, ensure that control measures and facilities have been properly installed and maintained and/or modify sedimentation and erosion control requirements, particularly when extraordinary climatic or weather conditions should dictate such modifications.

5. In the event that soil-erosion and sedimentation controls are not completed or not maintained, the Town may install and/or complete such soil-erosion and sedimentation controls at the expense of the developer.

C. When Control Plan Required

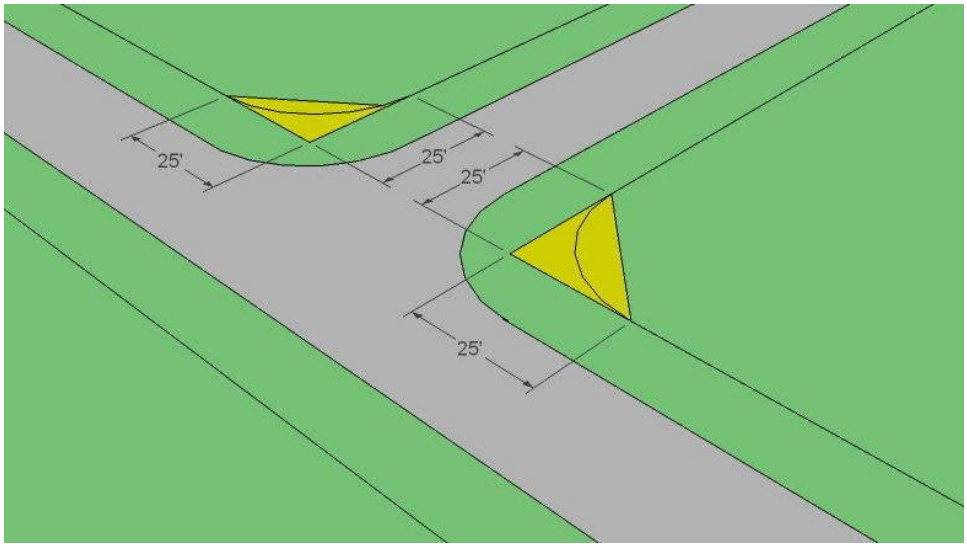
1. A soil erosion and sediment control plan ("Control Plan") prepared in accordance with "Connecticut Guidelines for Soil Erosion and Sediment Control", as amended, shall be required in conjunction with any application for development when the cumulative disturbed area is more than ½ acre except that a single-family dwelling that is not a part of a subdivision of land shall be exempt from the requirement to submit a Control Plan.

2. The Control Plan shall identify proper provisions to adequately control erosion and sedimentation on the proposed site based on the practices as found in the "Connecticut Guideline for Soil Erosion and Sediment Control", as amended. Alternative principles, methods and practices from those found in the Connecticut Guideline for Soil Erosion and Sediment Control, as amended, may be used with prior approval of the Commission.

6.8. Corner Visibility

1. On a corner lot, no fence, wall, hedge, or other structure or planting shall be erected, placed, or maintained more than two feet in height above the adjacent pavement or in such a way as to obstruct traffic visibility across the triangular area formed by the two intersecting street right-of-way lines and a straight line connecting points along said street right-of-way lines, which points are located 25 feet distant from the theoretical point of intersection of such lines measured along said street lines.

2. This provision shall not apply to existing trees, provided that no branches are closer than eight feet to the ground.



6.9. Driveway / Access Management

Also see Section 6.2.F for provisions related to driveways, especially Section 6.2.F.2 relating to driveway setbacks from property lines.

A. Purpose

This Section of the Regulations is intended to control the number, size, and location of driveways and access points, especially those for commercial uses that front on heavily trafficked roads and State highways, in order to maintain traffic capacity, avoid the proliferation of driveways and curb cuts, provide for safer and more efficient traffic operations along major roadways, and protect the public safety through the reduction of vehicular congestion.

B. General Provisions

1. In reviewing proposed developments, the Commission shall review road layout, parking layout and configuration, traffic circulation within the site, the number and location of access points to and from the site, and the nature and type of traffic circulation on adjacent roadways to ensure that public safety and welfare is promoted with the greatest efficiency.

2. As part of application approval, the Commission may require, at the applicant's expense, an independent traffic review of the proposal.

3. **Access Through Residential District** - Access to any use in a Business or Industrial District or access to any Business or Industrial use on any property in any zone or on property not subject to Zoning Regulations shall be prohibited on or across land in any Residential District.

C. Number / Location Of Driveways

1. The number of driveways for each site shall be minimized and the Commission may limit the number of driveways that serve a specific site.

2. Where street geometry, traffic volumes or traffic patterns warrant, the Commission may:
   a. Designate the location of any driveway,
   b. Require the use of an existing driveway on adjacent property (provided appropriate easements are in place) in lieu of having a separate curb cut onto a road or street,
   c. Require the provision of a shared driveway with associated easements (in favor of the Town and/or adjacent property owners) in addition to having a separate curb cut onto a road or street, and/or
   d. Limit access to a major street and/or require access from a minor street.

3. When a mutual driveway easement is required or provided:
   a. The location of the easement shall be for a location acceptable to the Commission and the Local Traffic Authority,
   b. The wording of such easements as shall be acceptable to the Commission and the Town Attorney, and/or
   c. The filing of such easements on the land records in favor of the abutting property owners and/or the Town shall be required prior to issuance of a Certificate of Zoning Compliance.

4. A private road, private driveway or other private vehicular way of access servicing a business or industrial use shall not be constructed through a Residential Zone or buffer strip.

5. No exit from or entrance to an off-street parking facility shall be laid out or maintained as to constitute or create a traffic hazard or nuisance.

6. On corner lots the driveway shall be located as far from the intersection as is practical.

D. Design / Construction Of Driveways

1. Driveways shall not be wider than indicated below measured at the street line and parallel to the street line unless otherwise approved by the Town Engineer and/or the State of Connecticut where applicable:
   a. Single-family or two-family uses – 15 feet wide
   b. Business, industrial, or other uses – thirty (30) feet wide.

2. A curbed island for channelizing traffic may be required if a driveway serving a business, industrial, or other use wider than thirty (30) feet is approved.

3. Driveways must be perpendicular or radial to the roadway and adequate line of sight as approved by the Town Engineer shall be provided at all drives.

E. Driveways and Curb Cuts

1. Combination of curb cuts and access drives to parking for more than one use shall be encouraged and may be specified by the Commission on any Site Plan as submitted under the provisions of Section 8.3.

2. Driveways servicing single family dwellings shall comply with the following.
   a. The maximum grade for a driveway serving a single-family dwelling shall be 15% from the street to an area sufficient to park at least two cars for each dwelling served.
   b. Where substantial amounts of cut and/or fill would be required to construct any portion of a driveway serving a single-family dwelling or dwellings, plans shall be reviewed and approved by the Town Engineer prior to the issuance of a driveway permit to ensure that adequate drainage shall be provided and that soil erosion shall be minimized.
   c. Notwithstanding the maximum permitted grades specified above, no driveway serving a single-family dwelling or dwellings shall have a grade in excess of five percent (5%) within 35 feet of the centerline of the traveled way of the street or within 10 feet of the street right-of-way line, whichever distance is greater.

3. The maximum grade for new driveways for access to uses other than single-family dwellings and connecting the required off-street parking area to the street shall not exceed seven percent (7%) except that the Commission may permit increased grades where excessive cut and/or fill would otherwise be required, provided that such grades shall not exceed ten percent (10%).

4. Notwithstanding the maximum permitted grades specified above, no driveway serving a use other than a single-family dwelling shall have a grade in excess of two percent (2%) within 50 feet of the centerline of the traveled way of the street, or within 25 feet of the street right-of-way line, whichever distance is greater. The Commission may require increased platform area of this type in situations where, because of the nature of the proposed use, substantial traffic volumes would be anticipated.

5. Driveway alignment and location shall comply with the following.
   a. Any driveway entering onto a street shall be located and aligned in such a way as to create the minimum possible traffic hazard. The platform portion of the driveway, as required above, shall be aligned at approximate right angle to the street.
   b. The Commission may require that only one driveway serve a lot, regardless of the amount of street frontage, if deemed necessary for public safety purposes.
   c. Driveways serving the same lot shall be at least 150 feet apart (measured center line to center line), unless they are one-way driveways. Notwithstanding the foregoing, in the R-70 and R-90 Residential Districts, driveways serving the same lot shall be at least 50 feet apart (measured center line to center line), unless they are one-way driveways. Not more than two driveways shall serve a lot in the R-70 or R-90 Residential District. The 50-foot separation standard shall apply only to a lot that meets or exceeds the minimum lot frontage requirement of the District.
   d. For corner lots, driveways shall be located as far from the intersection of the street lines of the lot as is practical, but a driveway shall not be located within 60 feet of such intersection.
   e. Joint use of driveways for non-residential uses by adjacent lots shall be encouraged.

f. The maximum driveway width shall be 30 feet, measured at and parallel to the street line, except for two-way access to non-residential uses with a raised island in the center, for which the maximum width shall be 44 feet.
g. The minimum driveway width for non-residential uses shall be 20 feet for two- way access and 12 feet for one-way access.
h. Driveways shall cross the street line so that the angle between the centerline of the driveway and a line perpendicular to the street right-of-way line, measured at such street line, does not exceed 30 degrees.

6. Clear visibility shall be provided in both directions at all exit points so that the driver of a vehicle stopped on the platform portion of any new driveway shall have an unobstructed view of the highway for a reasonable distance (commensurate with the speed and volume of traffic on such highway), and so that the driver of a vehicle traveling on the highway shall have a similar view of the vehicle in the driveway.

7. For all driveways, except those serving single-family dwellings, no fence, wall hedge or other structure or planting shall be erected, placed or maintained in such a way as to obstruct traffic visibility across the triangular area formed by the intersecting street right-of-way and driveway lines and a straight line connecting points along said street right-of-way and driveway lines, which points are located 50 feet distant from the theoretical point of the intersection of such lines measured along said lines. This provision shall not apply to existing trees, provided that no branches are closer than eight feet to the ground.

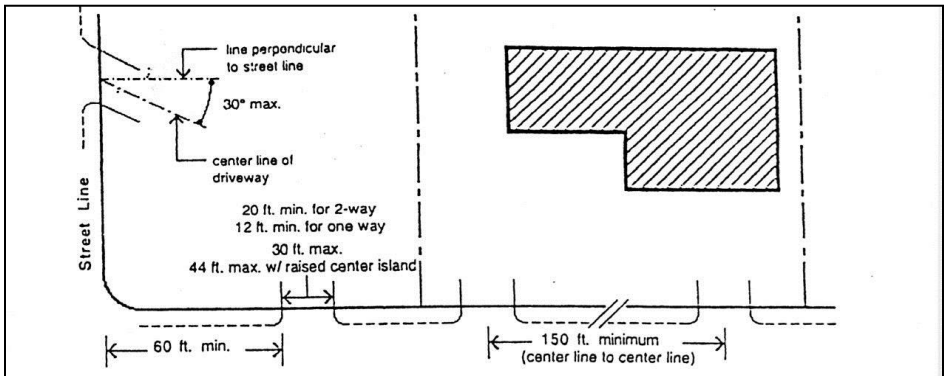


FIGURE A-12: DRIVEWAY REQUIREMENTS FOR NON-RESIDENTIAL USE

F. Access Of Parking / Loading Spaces

1. **Overall Safety** - Entrances and exits from parking areas and loading spaces onto streets shall be located and arranged in such a manner as to minimize hazards to pedestrian and vehicular traffic in the street.

2. **Parking Space Access** - Each parking space shall be provided with adequate area for aisle and access lanes, so that a vehicle, having an overall length of 20 feet, can:
   a. approach the space and execute any necessary backing and turning movements without need to use any part of the right-of-way of a street, and
   b. exit onto the street in a front forward direction. The requirement for frontward exit shall not apply to parking spaces provided in connection with a dwelling containing one (1) or two (2) dwelling units, rooms to rent in a dwelling unit, or a permitted professional office in a dwelling unit when the exit from such spaces is onto a street that is neither a State Highway nor a Town street designated as a Major Street or Secondary Street on the Plan of Conservation and Development adopted by the Watertown Planning and Zoning Commission.

3. **Loading Space Access** - No loading space, including any truck loading bay, ramp or dock, shall be arranged in a manner that trucks must back within any part of the right-of-way of a street in order to use such space.

6.10. Accessibility For People And Bicycles

A. Purpose

This Section is intended to ensure that adequate provision is made for safe and convenient access by pedestrians and bicyclists in Watertown.

B. Applicability

The provisions of this Section shall apply to all residential and non-residential development in Watertown.

C. Accessibility For Pedestrians

1. Unless the Commission determines that sidewalks are not required in a particular location, a system of safe and convenient sidewalks shall be provided:
   a. Along all street frontages,
   b. Between such street frontages and buildings on the site,
   c. Between individual buildings within the site, and
   d. To-and-from existing or potential future pedestrian accommodations on adjacent sites.

2. Such sidewalks, handicapped ramps, and related improvements shall:
   a. Be designed, constructed, and maintained in accordance with the Americans with Disabilities Act (ADA) requirements, and
   b. Be at least four feet (4') in width,
   c. Provide safe separation from motor vehicle traffic,
   d. Be constructed in accordance with Town design standards.

D. Accessibility For Bicyclists

1. Convenient and appropriate bicycle parking facilities shall be provided as part of any new construction, changes of use, or substantial improvements.

2. Bicycle parking facilities shall be provided at the rate of at least 1 bicycle parking place for every 20 parking spaces, or portion thereof, required by these Regulations.

3. Such bicycle parking spaces shall be located near each main building entrance, and in an area that is highly visible.

4. Such bicycle facilities shall be constructed in accordance with Town design standards.

6.11. Refuse Management

A. Purpose

This Section is intended to provide standards for refuse management, including the location and design of dumpsters and other refuse containers, for any development which requires Site Plan approval or Special Permit approval.

B. Applicability

This Section of the Regulations shall apply to all business, industrial and multi-family uses and any development required to obtain Site Plan or Special Permit approval from the Commission.

C. Standards

1. A dumpster pad shall be provided and such dumpster pad shall be constructed in accordance with Town design standards.

2. The dumpster shall be enclosed on all four sides with a minimum six (6) foot high fence, which will screen the dumpster from view.

3. The site layout shall provide for a “SU-30” design vehicle to be able to access the dumpster and service the dumpster such that such that access to the site or traffic flow within the site will not be negatively affected.

4. To minimize visibility from less intensive uses, dumpsters and other refuse equipment or facilities shall, unless otherwise approved by the Commission, be screened from any street line or less intensive land use by buildings, fences, walls, landscaped berms or evergreen shrubs, trees, and/ or other means to provide complete visual screening.

5. Dumpsters and other refuse equipment or facilities shall not be placed in such a manner as to reduce the number of available parking spaces on the property to less than that required by these Regulations.

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SECTION 7 SPECIAL STANDARDS

QUICK LINKS

7.1. Specific Exceptions
7.2. Non-Conforming Situations
7.3. Cannabis
7.4. Earth Material Activity
7.5. Village District Design Standards

Specific Exceptions

Non-Conforming Situations

Earth Material Activity

Village District Design

7.1. Specific Exceptions

A. Lot Area / Density / Frontage / Shape

See Section 7.2.B of these Regulations for potential exceptions related to non-conforming lots.

B. Yards / Setbacks

See Section 7.2.B of these Regulations for potential exceptions related to non-conforming lots.

1. **Building-Related Features** –
   a. Except as may otherwise be provided for specified districts, roof eaves, pilasters, columns, belt courses, windowsills, cornices, and similar building architectural features may project up to two feet into any required setback.
   b. Roofs or canopies over entrance doorways may extend up to three feet into any required setback.
   c. Bay windows, including their cornices and eaves, may project up to two feet into any required setback, provided that the sum of the lengths of all such bay windows on any wall shall not exceed one-fourth the length of such wall.
   d. In a residential zone, an open porch (unenclosed by walls, windows, or screen) which is no more than eight feet (8') deep may intrude into the front yard setback provided it is no closer than fifteen feet (15') to the street line and complies with the side yard setback requirement.
   e. In a business zone, an open porch (unenclosed by walls, windows, or screen) or porte cochere which is no more than eight feet (8') deep may intrude into the front yard setback provided it is no closer than fifteen feet (15') to the street line and complies with the side yard setback requirement. Such space shall not be used for tables, chairs, food or beverage service or consumption, merchandise display, or other business-related activities.

House With No Porch

Same House With Porch Added

2. **Access-Related Features** –
   a. Entry stairs, stoops, fire escapes, and access ramps for the handicapped may extend up to four feet into any required yard or open space but shall not be located within four feet of any lot line.

3. **Fences / Walls** -
   a. The yard requirements of these Regulations shall not be applicable to the erection or construction of any fence or wall six feet or less in height.
   b. Fence orientation is the option of the owner.

4. **Business and Industrial Districts** -
   a. That portion of a lot contiguous to a railroad line and served by a railroad siding or spur shall not require a yard or open space.
   b. Side yard setbacks on a common side lot line between two or more lots shall not be required when:
      1) A building on one lot is attached to a building on an adjacent lot.
      2) None of the properties contain a residential use.
      3) Two or more lots share a single entrance and exit to a public street.
      4) Permanent vehicular access shall be provided to the rear of such lot.
      5) A common Site Plan application is submitted to the Commission for both abutting properties.

C. Coverage

See Section 7.2.B of these Regulations for potential exceptions related to non-conforming lots.

D. Height

1. Chimneys, exhaust fans, air conditioning equipment, antennas, ventilators, skylights, water tanks, and necessary mechanical appurtenances usually carried above the roof level may exceed the height limitations of these Regulations in accordance with the following:

	Permitted	Special Permit Required
Height above the level of the roof on which they are located:	Extend up to 15’	Extend more than 15’
Total area covered by such features relative to the area of the roof upon which they are located	Cover up to 25%	Cover more than 25%

2. Flagpoles, church spires, belfries, cupola, and domes not used for human occupancy may exceed the height limitations of these Regulations.

3. Flat solar panels that do not extend more than five feet above the level of the roof or the highest point of the roof may exceed the height limitations of these Regulations.

4. Buildings and other structures used for farming activities may exceed the height limitations of these Regulations.

5. Water towers, standpipes, monuments, and similar structures may exceed the height limitations of these Regulations provided a Special Permit for such structure is granted by the Commission.

6. Notwithstanding anything in the foregoing regulations, the maximum height for buildings, including accessory buildings, used by, or developed, constructed, or erected for, a private school located in the R-20 residential district on a lot that is at least 50 acres may be the greater of the height, in feet, set forth in these Regulations or 68'. All other exceptions in this Section 7.1(D) shall continue to apply.

E. Exceptions Based On State Or Federal Law

Certain provisions of state or federal law or regulations may, under certain circumstances, be deemed to supersede the requirements of these Regulations (Americans with Disabilities Act (ADA), etc.). If a landowner or applicant for any form of Zoning Permit or zoning approval claims a right under any such law or regulation to approval of a use, building, structure, or location / configuration thereof that would not or does not conform to the requirements of these Regulations, the Commission or the ZEO may grant such approval if the landowner or applicant provides sufficient evidence to establish:

1. That a provision or provisions of state or federal law or regulations applies to the proposed use, building, structure, or location / configuration thereof,

2. That a departure from the requirements of these Regulations is appropriate to address such provisions of state or federal law or regulations,

3. That any departure from the requirements of these Regulations is no more than reasonable or necessary to address such provisions of state or federal laws or regulations, and

4. That reasonable strategies have been employed to mitigate any impacts to abutting properties.

For the purposes of this Section:

- **An animal may qualify as a "service animal' for the purposes of ADA if it has been individually trained by a certified instructor to do work or perform tasks for an individual with a disability. The tasks performed by the animal must be directly related to the person's disability.**
- **An "emotional support animal" is an animal that provides comfort to a person by being with that person. .Since such animals generally have not been trained to perform a specific job or task, they do not qualify as service animals.**

Service Animal

Emotional Support Animal

7.2. Non-Conforming Situations

A. Intent

Within the Zoning Districts established by these Regulations there exist lots, uses, and structures which were lawful at the time these Regulations were adopted or amended but which would be prohibited, regulated, or restricted under the provisions of these Regulations or future amendments. Such lots, uses, and structures are declared by these Regulations to be legally non-conforming, as defined in Section 10 of these Regulations.

It is the intent of these Regulations to permit these non-conformities to continue until they are removed but not to encourage their continuation. No change of title, possession, or right of possession shall be deemed to affect the right to continue a non-conforming use, building, or other structure. The demolition or deconstruction of a non-conforming use, building, or structure shall not, by itself, be evidence of the property owner's intent not to reestablish such use, building, or structure.

It has historically been the intent of these Regulations that non-conformities shall not be enlarged, expanded, or extended if such a change would increase the non-conformity, nor be used as grounds for adding other structures or uses prohibited elsewhere in the same District. However, this Section of the Regulations may provide for some exceptions where the Commission shall find that the proposed use, including any proposed improvements and/or modifications, will become more compatible with the District and other uses in the vicinity than the existing non-conforming use.

Watertown Fire District

Zoning Regulations within the Watertown Fire District, which were adopted September 15, 1947 and effective through July 1, 2007, have been integrated into these Zoning Regulations.

Lots, uses, and structures previously subject to the Watertown Fire District Regulations that were lawful at the time of adoption of those Regulations and subsequent amendments shall remain legally non-conforming, subject to the provisions of this Section 7.2 of these Regulations.

Lots, uses, and structures within previously designated Fire District zones that were lawful at the time of the latest revision of these Regulations May 15, 2015 shall be considered legally non-conforming, subject to the provisions of this Section 7.2 of these Regulations.

B. Non-Conforming Lots

1. A lot of record that does not meet the area, shape, frontage, or other dimensional standards pertaining to lots may be used as a lot for the construction of any building or other structure otherwise permitted in the respective Zoning District, provided:
   a. Such lot shall be in separate ownership and shall not have continuous frontage with other lots under the same ownership;
   b. No further alteration of lot dimensions shall occur and any construction shall comply with all applicable standards; and

2. If two or more lots or combinations of lots or portions of lots adjacent to other parcels or lots under common ownership are of record as of the effective date of adoption or amendment of these Regulations, and if all or part of the lots do not meet the lot frontage and/or lot area requirements of the districts in which such lots are located, the land involved shall be considered to be an undivided parcel for the purposes of these Regulation and no portion of said parcel shall be used or sold in a manner which would diminish compliance with the lot frontage and/or lot area requirements established by these Regulations.

3. Subject to Commission approval, a parcel of land shown on one of the following titled maps on file in the Town Clerk's Office, and which is owned separately from any adjoining parcel as evidenced by deed, may be divided into parcels with lot area reduced by 20% of the area requirements of the Zoning District in which the lots are located.
   a. Oakville Heights;
   b. Oakville Park;
   c. Oakville Terrace;
   d. Buckingham Heights;
   e. Oakville Gardens, Sections One and Two;
   f. Meadow Hill; and
   g. Camp Estates,

C. Non-Conforming Uses of Land

Presumption of Incompatibility

Non-conforming uses are declared by these Regulations to be incompatible with permitted uses in the Districts involved. After the effective date of adoption or amendment of these Regulations, a non-conforming use of land, a non-conforming use of a structure, or a non-conforming use of a structure and land in combination shall not be extended or enlarged except as may be allowed in accordance with this Section. The extension or enlargement of such use includes but is not limited to:

- the attachment to a building or land of additional signs intended to be seen from off the premises, or
- the addition of other uses that would otherwise be prohibited in the District involved.

A legally non-conforming use of land may be continued so long as it remains otherwise lawful, subject to the following provisions.

1. Ordinary repairs may be made or remodeling done to any structure devoted in whole or in part to a non-conforming use, provided that such work does not increase the nonconformity.

2. A non-conforming use shall not be enlarged or increased except that the Commission may allow such enlargement and/or increase provided:
   a. The Commission shall find that the proposed use, including any proposed improvements and/or modifications, will become more compatible with the District and other uses in the vicinity than the existing non-conforming use.
   b. The Commission shall grant a Special Permit by a 2/3 affirmative vote and, in allowing such change, the Commission may attach such conditions and safeguards as may be required to protect public health, safety, and general welfare, and
   c. The prior non -conforming use shall be abandoned by filing an affidavit on the land records.

3. A non-conforming use shall not be extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of these Regulations except that the Commission may allow such extension provided:
   a. The Commission shall find that the proposed use, including any proposed improvements and/or modifications, will become more compatible with the District and other uses in the vicinity than the existing non-conforming use.
   b. The Commission shall grant a Special Permit by a 2/3 affirmative vote and, in allowing such change, the Commission may attach such conditions and safeguards as may be required to protect public health, safety, and general welfare, and
   c. The prior non-conforming use shall be abandoned by filing an affidavit on the land records.

4. If a non-conforming use is abandoned or superseded by a permitted use, it shall thereafter conform to the requirements of the District in which it is located, and the non-conforming use shall not thereafter be resumed.

5. A non-conforming use shall not be moved in whole or in part to any portion of the land other than that occupied by such use at the effective date of adoption or amendment of these Regulations except that the Commission may allow such move in whole or in part provided :
   a. The Commission shall find that the proposed use, including any proposed improvements and/or modifications, will become more compatible with the District and other uses in the vicinity than the existing non-conforming use.
   b. The Commission shall grant a Special Permit by a 2/3 affirmative vote, and in allowing such change, the Commission may attach such conditions and safeguards as may be required to protect public health, safety, and general welfare, and
   c. The prior non -conforming use shall be abandoned by filing an affidavit on the land records.

6. A non-conforming use shall not be changed to another non-conforming use except that the Commission may allow such change provided :
   a. The Commission shall find that the proposed use, including any proposed improvements and/or modifications, will become more compatible with the District and other uses in the vicinity than the existing non-conforming use.
   b. The Commission shall grant a Special Permit by a 2/3 affirmative vote and, in allowing such change, the Commission may attach such conditions and safeguards as may be required to protect public health, safety, and general welfare,, and
   c. The prior non -conforming use shall be abandoned by filing an affidavit on the land records.

D. Non-Conforming Structures

1. A legally non-conforming structure may be continued so long as it remains otherwise lawful, subject to the following provisions.

2. uch non-conforming structure shall not be enlarged or altered in a manner which extends or increases the non-conformity but may be altered to decrease the non- conformity, except that an existing dwelling located in a District in which dwellings are not a permitted use may be enlarged, extended, or altered provided that no additional dwelling units are created.

3. If a non-conforming structure is moved for any reason for any distance it shall conform to the requirements of the District in which it is located or, with approval of the ZEO, may be located in a less non-conforming location.

4. Any non-conforming structure may be reconstructed, repaired, or remodeled provided that such work does not increase the nonconformity.

5. Nothing in these Regulations shall be deemed to prevent the strengthening or restoring to safe condition of any non-conforming structure or part thereof declared to be unsafe by any official charged with protecting the public safety, upon order of such official.

E. Non-Conforming Uses of Structures and Land in Combination

1. A legally non-conforming use of a structure or of a structure and land in combination may be continued so long as it remains otherwise lawful, subject to the following provisions.

2. Any existing structure devoted to such non-conforming use shall not be enlarged, extended, constructed, reconstructed, moved, or structurally altered in a manner which increases the non-conformity, except to change the use of the structure to a use permitted in the District in which it is located.

3. Such non-conforming use of a structure may be extended throughout any part thereof which was arranged or designed for such use at the time of adoption or amendment of these Regulations, but no such use shall be extended to occupy any land outside the structure.

4. A non-conforming use of a building or other structure may be changed only to a conforming use or to a less non-conforming use in accordance with Section 7.2.C.7, as determined by the Commission.

5. If such non-conforming use is superseded by a permitted use, it shall thereafter conform to the requirements of the District in which it is located, and the non- conforming use shall not thereafter be resumed.

F. Non-Conformance with Performance Standards

Any lawful use of a building or other structure established prior to the adoption or amendment of these Regulations which does not conform to one or more of the Basic Standards of Section 6 shall not be changed to increase such non-conformity, but may be changed to decrease or eliminate such non-conformity. Any such non-conformity so reduced or eliminated shall not be resumed.

7.3. Cannabis

With enactment of Public Act 21-1 and Public Act 22-103, cannabis establishments were authorized in Connecticut subject to licensing by the Department of Consumer Protection and local zoning regulations.

Subject to licensing by the Connecticut Department of Consumer Protection, cannabis establishments within Watertown shall be regulated as follows:

1. All definitions related to cannabis are as defined in State statutes.

2. Cannabis establishments shall be regulated in Watertown as follows:

Establishment Type(s)	
1. Dispensary facility **2. Hybrid retailer** **3. Retailer**	• Not allowed in any zoning district in Watertown • A "retail business" as may be permitted by these Regulations specifically excludes the sale of medicinal or recreational marijuana.
4. Cultivator **5. Micro-cultivator**	• Treated as a manufacturing establishment. • As per CGS Section 1-1, the cultivation of cannabis does not fall within the definition of "agriculture" or "farming".
6. Producer **7. Product manufacturer** **8. Product packager**	• Treated as a manufacturing establishment.
9. Food and beverage manufacturer	• Treated as a manufacturing establishment. • Not allowed in a residential district and specifically not considered to be a cottage food operation.
10. Delivery service **11. Transporter**	• Treated as a business service establishment. • Not allowed in a residential district and specifically not considered as a "home enterprise".

7.4. Earth Material Activity

A. Purposes

The purposes of this Section of the Regulations are to preserve a cover crop on the land, to prevent erosion and to control any earthwork operation that may create a safety or health hazard to the public or the nearby property owners or be detrimental to the immediate neighborhood or to the Town of Watertown.

Existing earthwork operations may continue as nonconforming uses until the expiration of their current permit, but the operator must then file a statement with the Commission setting forth the area included in the operation and the nature, extent and purpose of the operation now being carried on. After such a statement is filed with and approved by the Commission, any extension, change or renewal of the operation shall be considered a new operation and shall require compliance with these Regulations.

B. Allowed With No Zoning Permit Required

An earthwork operation is permitted without obtaining additional zoning approval provided no blasting, mechanical rock splitting, or similar dislocation is involved and provided such earthwork activity occurs in connection with one of the following:

1. Earthwork involving 1,000 cubic yards or less of earth material when associated with a development or activity for which Site Plan Approval or a Special Permit has been issued by the Commission and the amount of earthwork has been declared by the applicant and approved by the Commission.

2. Earthwork involving 1,000 cubic yards or less of earth material associated with a development or activity for which a Zoning Permit has been issued by the Zoning Enforcement Officer and the amount of earthwork has been declared by the applicant and approved by the Zoning Enforcement Officer.

3. The landscaping of a lot having one or more existing structures and involving 1,000 cubic yards or less of earth material.

4. Normal agricultural operations.

5. The construction of ponds for agricultural or conservation purposes, provided that the material removed is left on the site, that the earthwork does not affect any watercourse or wetlands drainage or flow and will not cause soil erosion or sedimentation problems and that any other state or municipal permits required for such activity have been issued.

6. Earthwork associated with construction of a road in a subdivision approved by the Commission with a financial guarantee for erosion and sediment control on file.

C. Allowed With Site Plan Approval

(reserved)

D. Allowed With Special Permit Approval

1. **Earthwork Of More Than 1,000 Cubic Yards** - Unless allowed in accordance with Section 7.4.B or Section 7.4.C, any earthwork including, but not limited to, excavation or removal of sand, gravel, clay, soil, humus, quarry-stone, rock or other earth materials or filling of land shall require a Special Permit.

2. **Blasting Or Similar Dislocation** - Any blasting, mechanical rock splitting, or similar dislocation associated with any earthwork including. but not limited to, excavation or removal of sand, gravel, clay, soil, humus, quarry-stone, rock or other earth materials or filling of land shall require approval of a separate Special Permit by the Commission. As part of the application review process, the Commission shall consider the following:
   a. A report from the Fire Marshal.
   b. Reports from any other local or state agency having jurisdiction over blasting, mechanical rock splitting, or similar dislocation operations.
   c. A report submitted by the applicant regarding whether the blasting, mechanical rock splitting, or similar dislocation operation will constitute a nuisance or cause damage to nearby property.
   d. Information submitted by the applicant demonstrating adherence to guidelines issued by the Department of Energy and Environmental Protection such as the "Guidance Document For Evaluating Potential Hydrogeologic Impacts Associated With Blasting & Development Activities" (2019), as may be amended, including a drinking water well receptor survey.

   URL active as of October 2024

   https://portal.ct.gov/-/media/DEEP/site_clean_up/potable_water/Blasting-Guidance-Dec2019.pdf

   e. Information submitted by the applicant with regard to proposed blasting materials, proposed mechanical rock splitting lubricants, and/or other materials proposed to be used (including Material Safety Data Sheet information).

3. **Crushing Or Separating Operations** - Crushing or separating operations shall also require approval of a separate Special Permit by the Commission.

E. Procedures For Special Permit For Earth Materials

1. **Issuance** - The Commission may issue or renew a Special Permit for earthwork operations involving earth products and:
   a. Shall establish an expiration date for any Special Permit issued pursuant to this Section,
   b. The Special Permit shall be filed in accordance with Section 8.4 of these Regulations prior to commencement of any operations.

2. **Renewal** -
   a. The Commission may renew a Special Permit if it determines that the operation, as carried on, is in compliance with these Regulations and with any and all conditions set forth in the permit.
   b. No Special Permit shall be renewed until:
      i. An updated, certified engineered site plan has been approved by the Commission and is in compliance with Section 7.4.F of these Regulations.
      ii. The Commission or its authorized agent has inspected the work under the previous permit.
   c. A project may be divided into stages and approval shall be required by the Commission before each stage is undertaken if deemed necessary or desirable by the Commission.

3. No Special Permit shall be issued or renewed pursuant to this Section unless the following conditions are met:
   a. The activity shall not result in the creation of any sharp declivities, pits or depressions, soil erosion, soil fertility problems or permanently depressed land values, or create any drainage or sewage problems or other conditions which would impair the use or reuse of the property or neighboring property in accordance with these Zoning Regulations or which would create a nuisance.
   b. The activity shall be in harmony with the general purpose and intent of these Regulations and shall not have an adverse effect on any existing or potential surface water or groundwater supplies.
   c. The premises shall be excavated and graded in conformity with the proposed plans as approved.
   d. During the period of earthwork operations, adequate barricades and/or woven fences with middle posts, four feet in height, shall be erected for protection of vehicles and pedestrians.
   e. No heavy equipment other than for digging, leveling, loading and carting excavated material shall be used on the site, and no material shall be processed on the site, unless permission, in writing, is first obtained from the Commission.
   f. At all stages of operation, proper drainage will be provided to avoid the occurrence of stagnant water and to prevent interference with and contamination of surface water and groundwater.
   g. During and after the earthwork operations, the site shall be cleared of debris.
   h. Silt and sediment shall not be permitted to run off the site and settlement basins shall be used to control sedimentation.
   i. All arable soil from any earthwork operations area shall be set aside and retained on the premises, and shall be re-spread over the affected area and permanently seeded upon completion of the entire operation or any part thereof.

j. Unless a plan for removal is coordinated with the owner of an adjacent tract and approved by the Commission:
   i. No activity involving or related to the removal of earth materials or the filling of land shall be conducted nearer than 100 feet from any property line.
   ii. If the final grade of any excavated or filled area will be below the established elevation of a street, no activity involving or related to the removal of earth materials or the filling of land shall be conducted nearer than 100 feet from such street line.
   iii. Such prohibited activities include, but are not limited to, excavation, removal, stockpiling and clearing.
   iv. Measurement shall be made from the property line or street line, as appropriate, to the nearest point of such removal, filling or other activity.
   v. In areas in which the natural vegetation within any such one-hundred-foot buffer area is not, in the opinion of the Commission, sufficient to provide screening of adjacent properties or streets from dust, noise, erosion, drainage or other potential problems arising from the activity, the Commission may require that suitable plantings or other screening be provided by the applicant.
   vi. Notwithstanding the foregoing provisions, the Commission may allow any buffer area to be crossed by a driveway or other accessway not to exceed 28 feet in width and as close to 90° through the buffer area as possible if such access is necessary to allow the conduct of the proposed activity, or if it would be more reasonable and prudent than any alternative access.
   vii. The length, cost, location and other characteristics of any alternative access may be considered by the Commission in determining whether such access would be more reasonable or prudent.
k. Earth products removal operations shall not be permitted to excavate to a depth any closer than five feet above the site's high-water table.
l. Proper measures shall be taken to minimize the generation of dust on access roads or driveways, and to minimize the nuisance of noise, flying dust and rocks, both on and off the premises, including any nuisance created by trucks hauling away or delivering material.
m. If considered necessary by the Commission, a limitation may be placed upon the stockpiling of excavated or fill material.
n. Local streets shall be kept clean by the permittee of the earthwork operation at all times.
o. Upon completion of an approved operation, the final grades in any area excavated or filled shall not be steeper than three to one (3:1), horizontal to vertical, or whatever lesser slope is necessary to maintain stability under particular soil conditions, and this area shall be covered with not less than six inches of topsoil, and, unless put under cultivation, it shall be treated with two tons of lime per acre, 1,000 pounds of 10-10-10 fertilizer per acre and permanently seeded.
p. A permanent grass mixture and/or trees spaced apart not more than seven feet on center shall be planted on the re-stabilized area.
q. These plans shall be referred to the Natural Resources Conservation Service or other agency for recommendations.
r. Machines and trucks working in, to and from the pit area shall be properly muffled and covered at all times.
s. All trucks shall be required to take the shortest distance to a state road.
t. Topsoil or loam shall not be removed from any property except in accordance with Section 7.4.E.1.
u. The site will be subject to continuously conform to the State of Connecticut Guidelines for Soil Erosion and Sediment Control, as amended.

F. Standards

1. **Topsoil Or Loam** –
   a. Topsoil or loam may be removed from the parcel provided adequate documentation is submitted to the ZEO to show that sufficient topsoil will be retained on-site to provide for six inches (6”) of topsoil on the disturbed portions of the site.
   b. Topsoil or loam be re-spread on the property to a depth of six inches (6”) following the completion of construction activities and such areas shall then be reseeded or otherwise stabilized to prevent erosion.

2. At no time shall more than one undivided area, which area shall not exceed three acres in size, be opened within the lot, it being the intent of these Regulations that the remainder of the lot either shall be undisturbed land or shall have been restored or stabilized in accordance with Section 7.4.D.3.o. Boundary stakes shall be maintained at all times for the purpose of inspection for compliance.

3. No earthwork operation shall be permitted within 50 feet of a wetland or watercourse unless the applicant demonstrates that such earthwork operation will not adversely affect the water quality of such wetlands or watercourse or cause erosion of or sedimentation into such wetland or watercourse. The applicant should be aware that a permit from the Conservation Commission / Inland Wetlands Agency may be required in such cases.

4. No earthwork operations shall or utilize soil and/or sediment which exceeds the applicable pollutant mobility criteria or the direct exposure criteria established in Section 22a-133k-1 through 22a-133k-3 of the Regulations of Connecticut State Agencies (“RCSA”), as amended except as specifically approved by DEEP.

5. No activity connected with any earthwork operation may be undertaken on any Sunday or any legal holiday; or earlier than 7:30 AM nor continue after 5:30 PM Monday through Friday; or earlier than 8:00 AM nor continue after 12:00 noon on Saturday. No processing of earth products shall take place on Saturdays. Processing of earth products in cases of emergencies may be granted by special permission of the Commission.

6. As a condition for granting a Special Permit, the Commission shall decide on the total number of acres to be excavated and the depth of the operation.

7. Filling operations shall be carried on in such a manner as to prevent the breeding or harboring of insects, rats or other vermin, and to prevent the transport of fill or excavated material, or any waste or debris, off the premises by wind, water or other causes.

8. Failure to meet any requirement shall bar the issuing of a permit, regardless of whether such failure was caused by the applicant, any predecessor in title or any other person.

G. Application Requirements

1. In addition to any other requirements for site plans under these Regulations, the site plan for an earthwork operation shall include the following information:
   a. Location of area to be excavated or filled and proposed commencement and completion dates.
   b. A detailed statement of the nature, extent, timing and purpose of the operation.
   c. Depth of existing topsoil at various locations.
   d. Depths to water table before and after the operation.
   e. Proposed truck routes. Access and egress to and from the property must be at least 100 feet from side and rear lot lines.
   f. Proposed truck circulation within the property.
   g. Existing and proposed drainage on the premises.
   h. Proposed measures for control of runoff, soil erosion and sedimentation.
   i. Existing topographic contour lines on the premises and proposed final contour lines resulting from the intended earthwork operation, shown on a map, drawn to scale of not more than 40 feet to the inch, and with contour intervals of no greater than five feet. Contour lines must be shown for all areas within, and within 100 feet of, the site of the proposed earthwork operation.
   j. All existing buildings or structures on the site and any buildings, structures or uses being applied for.
   k. Surrounding properties and streets.

2. A fee of $600 per year shall be levied upon the permittee to defray the expenses of inspections and reports.

H. Financial Guarantee Requirements

1. As a condition of the Special Permit, the applicant shall post a financial guarantee in the amount equal to 120% of the cost estimated by the applicant and approved by the Commission (but not less than $10,000) for:
   a. All earthwork operations,
   b. All sedimentation and erosion control measures to be installed and continuously maintained, and
   c. All work necessary to completely restore the site as required by these Zoning Regulations.

2. Such financial guarantee shall be in accordance with Section 8.8.M.

3. In order to ensure the faithful performance and completion of the work pursuant to the conditions of the Special Permit approval, any financial guarantee provided under this Section shall be filed with the Town in a sum and form satisfactory to the Town Engineer, Town Attorney and the Commission and shall be in force until canceled by the Commission.

4. Such financial guarantee shall provide terms acceptable to the Town Attorney specifying that:
   a. Such financial guarantee shall only be canceled with the approval of the Commission, and
   b. Notice of any proposed cancellation shall be provided to the Commission at least 30 days in advance of such proposed cancellation for such cancellation to be of any effect.

5. Cessation of operations for a six-month period shall be considered as cause to call the financial guarantee to address stabilization of the site.

I. Restrictions On Transfer

1. No Special Permit issued in accordance with this Section shall be transferable or assignable to any other person, corporation or legal entity and no transfer of deed involving an earthwork operation shall occur until:
   a. Complete restoration of an earthwork operation has been completed to the Commission's satisfaction,
   b. The full amount of the financial guarantee has been released to the Town to complete the restoration of the site, or
   c. The person, corporation or legal entity responsible for the restoration of the earthwork operation submits proof acceptable to the Commission that new security, satisfactory to the Commission, is in force before the present security is released.

2. Any alienation of title to the premises concerning which a permit has been issued, whether by sale, lease, gift, devise or other means, shall:
   a. Operate as a revocation of said Special Permit and any subsequent owner, lessee or sub-lessee must apply for a new permit before any earthwork operations may be conducted upon said premises, and
   b. Be cause for the Commission to see that the full amount of the financial guarantee has been released to the Town to complete the restoration of the site.

3. No such new Special Permit shall be issued to a new person, corporation or legal entity unless all conditions stated in these Regulations, and in any previous permits, have been met.

J. Revocation Of Earth Material Permit

1. If it appears to the Commission or its authorized agent at any time after the issuance of a Special Permit under the provisions of this Section and prior to the completion of the work thereunder, that any of the work is not in accordance with these Regulations or the terms of the Special Permit, the Commission or its authorized agent may serve a notice on the violator stating the nature of the violation and giving not more than 30 days for the violation to be corrected.

2. If the violation is not corrected within the time specified in the notice, the Commission or its authorized agent may revoke the permit and take such other action as the Commission or its authorized agent may reasonably deem necessary to bring the work into compliance with these Regulations and the terms of the Special Permit, including but not limited to calling the financial guarantee.

3. These provisions are in addition to, and not in lieu of, the provisions of Section 9.6 of these Regulations and any other provisions of State law.

7.5. Village District Design Standards

1. All new construction, substantial reconstruction and rehabilitation of properties within a Village District shall comply with the general design guidelines and principles contained in CGS Section 8-2j, as amended, as well as the specific design guidelines contained in this section.

2. With regard to proposed buildings or building modifications, the following design standards shall apply to buildings, structures, and uses in a Village District:
   a. The proposed buildings or building modifications shall be functionally and visually related to their surroundings, to the terrain, and to the use, scale, and architecture in the vicinity of the proposed building or building modification,
   b. The removal or disruption of historic traditional or significant structures or architectural elements shall be minimized,
   c. The arrangement and orientation of any proposed building or site improvement shall be similar to the district,
   d. The building and layout of buildings and parking lots shall reinforce existing buildings and streetscape patterns and the placement of buildings and parking lots shall ensure there is no adverse impact on the district,
   e. All spaces and structures visible to the public from public roadways shall be designed to add to the visual amenities of the area consistent with those of the district in and around the proposed building or modification,
   f. The Commission shall evaluate for compatibility the color, size, height, proportion of openings, roof treatments, materials, and landscaping of the property and any proposed signs and lighting, with the local architectural motif as well as consideration of maintenance of views, historic buildings, monuments, and landscaping,
   g. The scale, proportions, massing and detailing of the proposed building shall be in proportion to the scale, proportion, massing, and detailing in the district,
   h. The applicant shall provide building material samples for Commission review,

3. With regard to overall site design and layout, the following design standards shall apply to buildings, structures, and uses in a Village District:
   a. The landscape design shall complement the district landscape patterns and reinforce functional qualities,
   b. Locally significant features of the site such as distinctive buildings or vistas shall be integrated into the site design,
   c. Open space of the proposed developments shall reinforce open space patterns of the district, in form and siting,
   d. A landscaped buffer depending upon the nature of the use and the nature of existing landscaping, shall be provided between all residential homes and transitional nonresidential uses. The buffer shall be sufficiently landscaped with continuous evergreen trees or hedges having a minimum height of seven feet providing screening and buffering, The Commission may permit fencing or walls in addition to or in substitute for, the landscape buffer,
   e. Existing trees shall be saved, if possible; if grading is required in their vicinity, trees shall be appropriately welled or mounded to protect them from damage,

4. With regard to site improvements, the following design standards shall apply to buildings, structures, and uses in a Village District:
   a. No paving shall be permitted within the buffer setbacks subject to Commission discretion,
   b. Parking shall be located to the rear and sides of buildings as much as practical,
   c. The number of parking spaces required shall be determined by the Commission and guided by appropriate parking standards for that use.
   d. The site lighting shall conform to the requirements of Section 6.4, however, the height of any light posts in the associated parking area is at the discretion of the Commission,
   e. The exterior signs, site lighting, and accessory structures shall support a uniform architectural theme and present a harmonious relationship with the surrounding district,

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SECTION 8 PROCEDURES

QUICK LINKS

8.1. Staff Procedures
8.2. Pre-Application Reviews (STAFF / PZC)
8.3. Site Plan Application (PZC)
8.4. Special Permit Application (PZC)
8.5. Regulation Amendment Application (PZC)
8.6. Zone Change Application (PZC)
8.7. Zoning Board Of Appeals Procedures (ZBA)
8.8. Procedural Elements

8.1. Staff Procedures

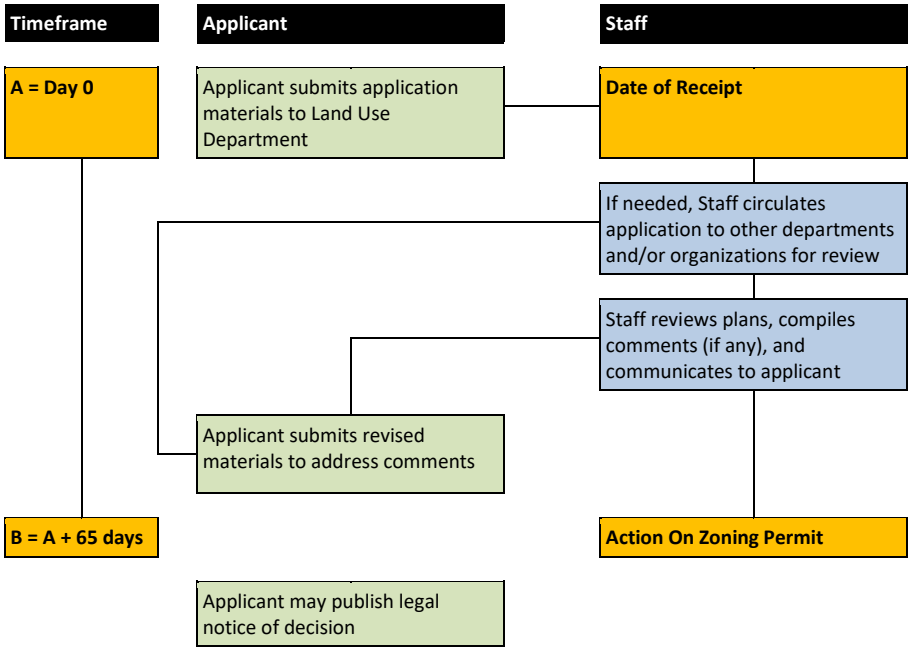
A. Zoning Permit

1. A Zoning Permit shall be required from the Zoning Enforcement Officer whenever:
   a. A building, structure or part thereof is to be constructed, reconstructed, altered, extended, enlarged, moved, or occupied,
   b. A Building Permit is to be issued except that a Zoning Permit shall not be required for repairs or alterations to existing buildings or structures providing that such work does not increase the floor area of any building or structure, does not increase the number of uses on the property, does not increase the number of dwelling units or bedrooms on the property, and does not change the actual use thereof,
   c. A non-conforming use is to be altered, changed, intensified or extended after the date of adoption of these Regulations,
   d. These Regulations indicate that a Zoning Permit is required, or
   e. The Zoning Enforcement Officer determines that a Zoning Permit is required.

2. An application for a Zoning Permit shall be accompanied by plans and/or other information that comply with the requirements in these Regulations. The application fee shall be included with all applications for a Zoning Permit.

3. No Zoning Permit shall be issued by the Zoning Enforcement Officer for a structure or use which requires approval of a Site Plan application, granting of a Special Permit, or other action by the Planning and Zoning Commission, Zoning Board of Appeals, Aquifer Protection Agency, or Inland Wetlands Agency without first receiving approval of the agency or agencies involved.

Zoning Permit Application Flowchart



DISCLAIMER – This graphic is a generalized overview of the application process and the provisions in the Connecticut General Statutes and the text of these Regulations shall control.

4. No Zoning Permit shall be issued by the Zoning Enforcement Officer as precedent to a Building Permit for new construction of a building on a lot which is located on an abandoned road, paper street, or right-of-way unless such right-of-way was recorded in the Office of the Town Clerk before May 1, 1955, the date of initial adoption of Zoning Regulations in Watertown.

5. **Location Verification** –
   a. After a foundation has been completed and prior to any additional construction thereon, the Zoning Enforcement Officer may require the submission of a certified plot plan drawn by a land surveyor currently licensed to practice in Connecticut showing the exact location of the foundation on the site.
   b. No building or structure shall thereafter be constructed above the foundation walls until the certified survey has been approved by the Zoning Enforcement Officer or the Commission as complying with the Zoning Permit and all applicable provisions of the Zoning Regulations.

6. As provided in CGS Section 8-3(f), the recipient of a Zoning Permit may publish notice of issuance of the Zoning Permit in a newspaper with substantial circulation in Watertown in order to establish the appeal period per CGS Section 8-7. Any such notice to be published by the recipient shall contain:
   a. A description of the building, use or structure and its location;
   b. The identity of the applicant; and
   c. A statement that an aggrieved person may appeal to the Zoning Board of Appeals in accordance with the provisions of CGS Section 8-7.

7. Any Zoning Permit issued under these Regulations shall expire twelve months from the date of issuance unless:
   a. A valid Building Permit for the use, construction and site development authorized by the Zoning Permit is in effect; or
   b. The Zoning Enforcement Officer renews the Zoning Permit for periods not to exceed twelve months, when the building and/or site development authorized by the Zoning Permit is in conformity with these Regulations and any amendments made subsequent to the date of original issuance of the Zoning Permit.

8. In the event that any Zoning Permit is issued based on incorrect information or the specific conditions of approval are not strictly adhered to, such Zoning Permit shall be null and void.

9. A Zoning Permit may be revoked if the Zoning Enforcement Officer determines that the terms of the permit are not being met.

B. Determination Of Zoning Compliance

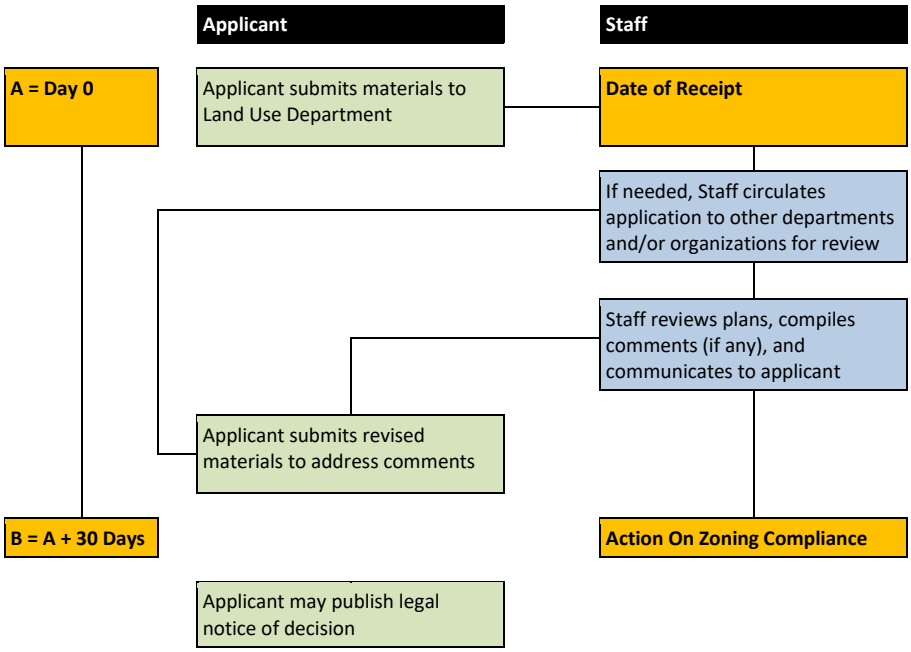
1. Until the Zoning Enforcement Officer has determined conformance of the building, structure or use with these Regulations or with a variance granted by the Zoning Board of Appeals or that the building, structure or use is a valid nonconforming building, structure or use under these Regulations:
   a. No use of land shall be occupied, used or changed in violation of these Regulations; and
   b. No use of a building or structure shall be undertaken or changed.

2. In addition, pursuant to CGS Section 8-3(f), no Certificate of Occupancy shall be issued until the Zoning Enforcement Officer has made such determination.

3. In the case of new construction including an addition, the Zoning Enforcement Officer may require submission of a certified plot plan drawn by a land surveyor currently licensed to practice in Connecticut showing the exact location of the improvements on the site prior to making such determination. In the event of substantial deviations from any plan approved by the Commission, the Zoning Enforcement Officer shall submit such "as built" drawings to the Commission for its determination of acceptance or need for plan amendment.

4. If the site improvements cannot be completed because of weather or for other pertinent reasons, the Zoning Enforcement Officer may authorize the issuance of the Certificate of Occupancy provided that a financial guarantee shall be posted in an amount sufficient to cover the cost of completing the remaining site improvements. Upon satisfactory completion of the remaining site improvements and the written request of the applicant, the Zoning Enforcement Officer and/or the Commission shall then release the financial guarantee.

Determination Of Zoning Compliance Flowchart



DISCLAIMER – This graphic is a generalized overview of the application process and the provisions in the Connecticut General Statutes and the text of these Regulations shall control.

5. In the case of a development containing affordable housing units, the issuance of Certificates of Occupancy shall be on a pro rata basis so that affordable units and market rate units are completed simultaneously.

6. As provided in CGS Section 8-3(f), the recipient of a Certificate of Occupancy may publish notice of such issuance in a newspaper with substantial circulation in Watertown in order to establish the appeal period per CGS Section 8-7. Any such notice to be published by the recipient shall contain:
   a. A description of the building, use or structure and its location,
   b. The identity of the applicant; and
   c. A statement that an aggrieved person may appeal to the Zoning Board of Appeals in accordance with the provisions of CGS Section 8-7.

7. In the event that any determination of zoning compliance is made based on incorrect information or the specific conditions of approval are not strictly adhered to, such determination of zoning compliance shall be null and void.

C. Approval Of Location Of Motor Vehicle Dealer And/or Repair

As per CGS Section 14-54, any person who desires to obtain a license for dealing in or repairing motor vehicles in Watertown shall obtain a certificate of approval from the Zoning Enforcement Officer affirming that the proposed location and use of the property conform to the zoning regulations.

D. Temporary Permits for Special Events

1. Temporary special events in accordance with this section, may only be permitted:
   a. For carnivals, fairs, art exhibitions, antique shows, and similar activities,
   b. When sponsored by a non-profit institution, and
   c. On a temporary basis.

2. Upon written application by the sponsor at least 30 days prior to the proposed event, the ZEO may issue a Zoning Permit for a Special Event Temporary Permit for the use of property within a non-residential District or on Residential District properties that:
   a. Front on a major road, as shown in the Town Plan of Conservation and Development, or
   b. Have direct access to such major road without requiring traffic to pass through a local residential street.

3. Off-street parking facilities deemed adequate by the ZEO based upon the nature and scope of activity and facilities proposed shall be provided for any permitted special event.

4. If granted, a Special Event Temporary Permit shall be valid for a specific period not to exceed ten days.

5. No more than one such permit shall be issued for the same applicant for the same property within any six-month period.

6. The ZEO may refer the application to the Commission, which may place the application on its next agenda for discussion and opportunity for public comment on any request for a Special Event Temporary Permit. The Commission may require a Site Plan application in accordance with the procedures of Section 8.3.

E. Summary Review

1. **Applicability.** This Subsection governs any use designated "SR" in these Regulations.

2. **Application.** An application shall be submitted to the Zoning Enforcement Officer on the Land Use Department form, with the fee established by ordinance, and shall include:
   a. A site plan by a Connecticut-licensed land surveyor and/or professional engineer, at a scale adequate to determine compliance, showing property lines; existing and proposed buildings and structures with setback dimensions; driveways, parking, and loading areas; walkways; utilities; grading and drainage; erosion and sedimentation controls; and the screening and landscaping required by Section 5.28;
   b. Dimensioned building elevations for each street-facing façade sufficient to show compliance with the objective design standards of Section 5.28.E;
   c. Floor plans identifying the number of dwelling units and the number of bedrooms in each;
   d. Evidence of the approvals or pending applications required by Section 5.28.F (inland wetlands, water, sewage disposal, driveway); and
   e. Such other information as is necessary to determine compliance with the applicable non-discretionary standards.

3. **Completeness.** Within ten (10) business days of receipt, the Zoning Enforcement Officer shall determine whether the application is complete and, if not, provide the applicant with a written list of the missing items.

4. **Referral.** The Zoning Enforcement Officer may refer the application to the Town Engineer, Fire Marshal, Water and Sewer Authority, or the Torrington Area Health District to verify compliance with the applicable technical and objective standards. No referral shall convert the review into a discretionary one or extend the decision period beyond that prescribed by statute.

5. **Decision.** The Zoning Enforcement Officer shall approve the application, without a public hearing, upon determining that it (a) complies with the applicable specific, objective, and non-discretionary standards of these Regulations and (b) will not substantially impact public health or safety. The decision shall be rendered in writing not later than sixty-five (65) days after the official date of receipt of the application, in accordance with CGS §8-2r(d). The applicant may consent to one or more extensions of time for the rendering of such decision, provided the total combined period of all such extensions does not exceed an additional sixty-five (65) days.

6. **Conditions.** Conditions shall be limited to those necessary to (a) secure compliance with the applicable non-discretionary standards or (b) mitigate a specific, identified adverse impact on public health or safety, and shall not substantially impair the viability of the development.

7. **Denial.** Any denial shall be in writing and shall cite (a) the specific standard(s) with which the application does not comply, or (b) the specific substantial public health or safety impact and why it cannot be mitigated through conditions consistent with Paragraph 6.

8. **Notice of Decision.** The Zoning Enforcement Officer shall publish their decision in a newspaper having substantial circulation in the municipality within fifteen (15) days after such decision is rendered.

9. **Effect.** Approval authorizes issuance of a Zoning Permit and is subject to the same duration and lapse provisions as Zoning Permits under Subsection 8.1.A.

10. **Appeal.** Any person aggrieved by a decision under this Subsection may appeal to the Zoning Board of Appeals under CGS Sections 8-6 and 8-7 and Section 8.7 of these Regulations.

11. **Village District.** For a lot in the B-O Village District, the Zoning Enforcement Officer shall promptly refer the application for advisory architectural comment under Section 7.5; such comment is advisory only, shall be returned within the administrative review period, and shall not impose any standard beyond the non-discretionary standards of these Regulations.

12. **Wetlands.** Where an application under this Subsection involves an activity regulated pursuant to CGS Sections 22a-36 to 22a-45, inclusive, and the Conservation Commission / Inland Wetlands Agency has not rendered its decision, the applicant may consent to an extension of the time for decision, in increments of not more than sixty-five (65) days, pending that decision. Absent such consent, the Zoning Enforcement Officer shall render a decision within the time prescribed by Paragraph 5, and any denial on the ground that the agency has not acted shall be without prejudice to the refiling of the application following that agency's decision.

Summary Review Application Flowchart

Timeframe	Applicant	Staff / ZEO
	If a regulated activity in wetlands is involved, applicant must apply to the Conservation Commission / Inland Wetlands Agency	
A = Day 0	Applicant submits application materials to Land Use Department	**Statutory Date of Receipt**
		Staff determines whether application is complete within 10 business days; if not, provides applicant a written list of missing items
	Applicant submits any missing materials	
		If needed, ZEO refers application to verify technical standards: • Town Engineer • Fire Marshal • Water and Sewer Authority • Torrington Area Health District
		ZEO reviews against the objective standards of Section 5.28 or 5.29 **No public hearing. No discretionary review.** In B-O only: advisory architectural comment (§8.1.E.11) – advisory, imposing no further standard
B = A + 65 Days ✱		**Written Decision – approve, approve with conditions, or deny**
		Zoning Permit issued
	Applicant or aggrieved person may appeal to the Zoning Board of Appeals	

✱ Timeframe may be extended by consent of the applicant pending a decision of the Conservation Commission / Inland Wetlands Agency (§8.1.E.12).

How summary review differs – No public hearing is held and the Commission takes no action; the decision is the ZEO's. The ZEO **shall approve** an application that meets the objective standards and will not substantially impact public health or safety. A denial must cite the specific standard not met, in writing.

DISCLAIMER – This graphic is a generalized overview of the application process and the provisions in the Connecticut General Statutes and the text of these Regulations shall control.

8.2. Pre-Application Reviews (Staff / PZC)

A. Pre-Application Review By Staff

1. Prior to the submission of an official application, it is recommended that the applicant meet with the Land Use Department to discuss the proposed application in order to:
   a. suggest possible enhancements and identify areas of concern or further study;
   b. identify the potential need for third party consultants in accordance with Section 7.8.E of these Regulations; and
   c. minimize delay, expense, and inconvenience to the applicant.

2. This meeting is recommended in order to facilitate consideration of factors that may be associated with a particular proposal before the applicant proceeds with preparation of detailed maps, plans and documents required for formal consideration.

3. Neither the pre-application plan nor the informal consideration by the Land Use Department shall be deemed to constitute any portion of the official and formal procedure of applying for any approval as contemplated herein or under the provision of the Connecticut General Statutes.

B. Pre-Application Review By Commission

As provided in CGS Section 7-159b, the Commission may conduct a preapplication review of a proposed project with the applicant at the applicant's request. Such preapplication review and any results or information obtained from such review may not be appealed under any provision of the general statutes, and shall not be binding on the applicant or [the Commission] having jurisdiction to review the proposed project.

1. For larger or more complex applications, an applicant may request a pre-application review by the Commission prior to the submission of an official application in order to:
   a. facilitate consideration of factors that may be associated with a particular proposal before the applicant proceeds with preparation of materials required for formal consideration by the Commission; and/or
   b. identify the potential need for third party consultants in accordance with Section 7.8.E of these Regulations.

2. Such request for a pre-application review shall, at a minimum, include the following:
   a. A plan providing sufficient information for the Commission to visualize how the proposed use or development might be configured and to identify the location of significant natural and proposed features, and other relevant information; and
   b. A written summary of the particular issue(s) the Commission is being asked to address.

3. The pre-application materials shall be submitted to the Land Use Department so that the Commission may consider the need for a pre-application review and, if authorized, for scheduling on a future Commission agenda.

4. Neither the pre-application plan nor the informal consideration by the Commission shall be deemed to constitute any portion of the official and formal procedure of applying for any approval as contemplated herein or under the provision of the Connecticut General Statutes.

5. While the meeting and optional pre-application plan should benefit any formal application, as provided in CGS Section 7-159b, neither the applicant nor the Commission shall be bound by any statement made during such informal review, nor shall the statement of any Commission member be deemed to be an indication of prejudgment or prejudice, it being acknowledged by the applicant that the Commission response like the request itself are preliminary and subject to further refinement.

8.3. Site Plan Application (PZC)

A. Purpose

The purpose of a Site Plan Application is to enable a detailed review of proposed development in order to ensure compliance with these Regulations and promote the health, safety, and general welfare of the community.

B. Application Requirements

1. A Site Plan Application shall be submitted to the Land Use Department for any activity designated in the Regulations as requiring Site Plan Approval.

2. Unless otherwise modified or directed by Commission staff, a Site Plan Application shall be accompanied by:
   a. five (5) full-size (24" by 36") sets of detailed plans, signed and sealed by an appropriate professional, for review by the Commission and its designees that comply with the requirements in the Appendix to these Regulations for a Site Plan Application;
   b. one (1) reduced-size (11" by 17") set of the same materials; and
   c. one (1) electronic set of the same materials in PDF format.

3. The application shall be accompanied by a fee, as provided in the fee schedule of the Town to cover the cost of administration.

4. The Commission may require the submission of additional information as deemed necessary to make a reasonable review of the application.

5. If a Site Plan Application involves an activity regulated pursuant to CGS Sections 22a-36 to 22a-45, inclusive, the applicant shall submit an application for a permit to the Conservation Commission / Inland Wetlands Agency not later than the day such application is filed with the Commission.

C. Proceedings

1. The date of receipt for the Site Plan Application shall be determined in accordance with Section 8.8.B.

2. An incomplete Site Plan Application may be denied in accordance with Section 8.8.C.

3. Notification to adjoining municipalities may be required in accordance with the requirements of Section 8.8.H.

4. Notification to water companies may be required in accordance with the requirements of Section 8.8.I.

5. Notification to DEEP regarding the Natural Diversity Database may be required in accordance with the requirements of Section 8.8.K.

6. Whenever approval of another application required by these Regulations (such as a Special Permit Application) must be approved before a Site Plan Application can be approved:
   a. The time period for acting on the Site Plan Application shall coincide with the time period for acting on the related application; and
   b. A decision on the application shall be rendered within sixty-five (65) days after the close of the public hearing on such other application except that the applicant may consent to one or more extensions of such period provided the total period of any such extension or extensions shall not exceed sixty-five (65) days.

7. The Commission may elect to hold a public hearing on a site plan application except that such optional public hearing shall not delay or extend the timeframe for making a decision on the Site Plan Application.

8. Whenever approval of a Site Plan Application is the only approval required, a decision on the Site Plan application shall be rendered within sixty-five (65) days after the date of receipt of such Site Plan Application, regardless of whether an optional public hearing is held, except that the applicant may consent to one or more extensions of such period provided the total period of any such extension or extensions shall not exceed sixty-five (65) days.

9. Notwithstanding the provisions of this Section, if an application involves an activity regulated pursuant to CGS Sections 22a-36 to 22a-45, inclusive and the time for a decision by the Commission would elapse prior to the thirty-fifth day after a decision by the Conservation Commission / Inland Wetlands Agency, the time period for a decision shall be extended to thirty-five (35) days after the decision of such agency.

10. The applicant may withdraw such application at any time prior to action by the Commission.

D. Decision Considerations

1. On a Site Plan Application involving an activity regulated pursuant to CGS Sections 22a-36 to 22a-45, inclusive, the Commission shall:
   a. Wait to render its decision until the Conservation Commission / Inland Wetlands Agency has submitted a report with its final decision; and
   b. Give due consideration to any report of the Conservation Commission / Inland Wetlands Agency when making its decision.

2. On a Site Plan Application involving notice to adjoining municipalities under Section 8.8.H or notice to water companies under Section 8.8.I, the Commission shall give due consideration to any report received.

3. Before the Commission approves a Site Plan Application, it shall determine that the application is in conformance with the applicable provisions of these Regulations.

4. Application for Site Plan Approval shall be evaluated by the Commission under the requirements of these Regulations and any supplemental considerations listed within this Section.

Site Plan Application Flowchart

Timeframe	Applicant	PZC / Staff	Reference
	If "regulated activity" in wetlands involved, applicant must apply to Conservation Commission / Inland Wetlands Agency		See Section 8.3.B.5
	Applicant submits application materials to Land Use Department		See Section 8.3.B.1
		If needed, Staff notifies: • Adjacent communities • Water companies	See Section 8.8.H See Section 8.8.I
		Staff circulates application to local departments for review	
A = Day 0		**Statutory Date of Receipt**	See Section 8.8.B
	Applicant presents application to PZC / responds to PZC questions	***First PZC Meeting*** PZC receives Staff reports PZC reviews application Possible PZC action	See Section 8.3.D
	Applicant may submit revised maps / plans to address comments		
	Applicant continues to present application to PZC / responds to PZC questions	***Subsequent PZC Meeting(s)*** • Application review(s) • PZC Action	See Section 8.3.D See Section 8.3.E
B = A + 65 Days ✱		**Action Deadline**	
		Publish Notice of Decision	

✱ Timeframe may be extended by:

- Consent of applicant
- Corollary application
- Wetlands report

DISCLAIMER – This graphic is a generalized overview of the application process and the provisions in the Connecticut General Statutes and the text of these Regulations shall control.

5. The Commission may request reports on the application from Town Departments and/or any other agency deemed appropriate by the Commission.

6. In accordance with CGS Section 8-3(g), the Commission may require that a financial guarantee be posted in accordance with the provisions of Section 8.8.M before any permits are issued for the activities shown on the approved plan, in an amount and form acceptable to the Commission, to ensure:
   a. The timely and adequate completion of any site improvements that will be conveyed to or controlled by the municipality;
   b. The implementation of any erosion and sediment controls required during construction activities; and/or
   c. The maintenance of roads, streets, retention or detention basins or other improvements approved with such site plan for up to one year after the date on which such improvements have been completed to the reasonable satisfaction of the Commission or the Town Engineer or accepted by the Town.

E. Action Documentation

1. The Commission shall, whenever it grants or denies a Site Plan Application, state upon its record the reason(s) for its decision.

2. The Commission shall send, by Certified Mail, a copy of any decision to the applicant within fifteen (15) days after such decision is rendered.

3. The Commission shall cause notice of the approval or denial of site plans to be published in accordance with applicable provisions of CGS Chapter 124 (such as CGS Section 8-7d) within fifteen (15) days after such decision is rendered.

4. In any case in which such notice is not published within the fifteen-day period after a decision has been rendered, the person who submitted such plan may provide for the publication of such notice within ten (10) days thereafter.

F. Following Approval

1. Following approval of a Site Plan Application, two (2) sets of the approved plan(s) with any required revisions to reflect Commission approval shall be submitted to the Land Use Department:
   a. Bearing the seal of the appropriate professional that prepared the drawing(s);
   b. Bearing a copy of the decision letter of the Commission and any other Town regulatory agencies authorizing the activity; and
   c. Containing a signature block where the Commission can indicate the approval.

2. Following signature by the Commission, the Zoning Enforcement Officer shall be authorized to issue a Zoning Permit as described in Section 8.A.1 for work to commence.

3. Minor changes in an approved and signed Site Plan may be approved by the Zoning Enforcement Officer or other Commission designee, when in the discretion of such designee, such changes do not significantly affect the overall layout, design, density, impact, or nature of the approved Site Plan. The Zoning Enforcement Officer or other designee shall report the approval of minor changes to an approved Site Plan to the Commission at their next regularly scheduled meeting and the modified plans shall be signed and filed in accordance with Section 8.3.F.1. Minor changes may include, but are not limited to:
   a. Minor grading changes due to field conditions, that do not significantly impact drainage patterns;
   b. Minor changes in pavement or pavement marking;
   c. (re)location of underground utilities;
   d. Location and screening of utility equipment;
   e. Location of directional or informational signage;
   f. Substitution of plant species due to availability or disease; and
   g. Any other minor technical change that does not materially detract from the original development concept.

4. Whenever a change to an approved Site Plan is determined to be a major change by the Zoning Enforcement Officer or other designee, a formal Site Plan application shall be submitted by the applicant to the Commission for its consideration for subsequent approval.

5. In accordance with CGS Section 8-3(g), no Certificate of Occupancy shall be issued before a required financial guarantee is posted and/or the approved site improvements are completed to the reasonable satisfaction of the Commission or the Zoning Enforcement Officer.

6. If an “as-built” plan is required by the Zoning Enforcement Officer, no Certificate of Occupancy shall be issued until such “as-built” plan has been submitted and found acceptable:

G. Expiration And Completion

1. Unless otherwise provided by CGS Section 8-3 or other provision of State law, all work in connection with a site plan shall be completed within five (5) years after the approval of the plan and failure to complete all work within such five-year period shall result in automatic expiration of the approval of such site plan unless the Commission shall have granted an extension of the time to complete work in connection with such site plan.

2. The Commission may grant one or more extensions of the time to complete all or part of the work in connection with the site plan provided the total extension or extensions shall not exceed ten years from the date such site plan is approved.

3. The Commission may condition the approval of such extension on a determination of the adequacy of the financial guarantee.

8.4. Special Permit Application (PZC)

A. Purpose

The purpose of a Special Permit Application is to review the appropriateness of certain uses or activities in a specific location or configuration in order to evaluate overall impacts of the specific application, ensure compliance with these Regulations, and promote the health, safety, and general welfare of the community.

B. Application Requirements

1. A Special Permit Application shall be submitted to the Land Use Department for any activity designated in the Regulations as requiring approval of a Special Permit.

2. Each application for a Special Permit shall be accompanied by a Site Plan Application in accordance with Section 8.3 unless such requirement is expressly waived by the Commission or in writing by the Zoning Enforcement Officer. If a Site Plan Application is required, such application is subordinate to the Special Permit Application and cannot be acted upon until the Special Permit Application is decided by the Commission.

3. Unless otherwise modified or directed by Commission staff, five (5) copies of the Special Permit Application shall be made on the form prescribed by the Commission, and shall include the information as required by the checklist in the Appendix for a Special Permit application and the following information:
   a. A detailed statement describing the existing and proposed use or use;
   b. A detailed statement describing how the Special Permit criteria in Section 8.4.E are addressed;
   c. Any approval from any local, regional, state, or federal agency or department having jurisdiction over any aspect of the application;
   d. A list of all property owners, together with addresses, required to be notified by Section 8.8.G or other section of these regulations; and
   e. All applications shall be accompanied by a fee, as provided in the fee schedule of the town, to cover the cost of administration.

4. The Commission may require the submission of additional information as deemed necessary to make a reasonable review of the application.

5. If a Special Permit Application involves an activity regulated pursuant to CGS Sections 22a-36 to 22a-45, inclusive, the applicant shall submit an application for a permit to the Conservation Commission / Inland Wetlands Agency not later than the day such application is filed with the Commission.

6. The Commission shall not be required to hear the same Special Permit application, or substantially the same Special Permit application for a period of 12 months after a decision by the Commission or by a Court on an earlier such application.

C. Proceedings

1. The date of receipt of the Special Permit Application shall be determined in accordance with Section 8.8.B.

2. An incomplete Special Permit Application shall be denied in accordance with Section 8.8.C.

3. The Commission shall hold a public hearing on the Special Permit Application and:
   a. Publish a legal notice in accordance with the requirements of Section 8.8.F; and
   b. Require that the applicant give notice to adjoining property owners in accordance with the requirements of Section 8.8.G unless a different distance is specified by these Regulations.

4. Prior to the scheduled meeting regarding the application, the applicant shall submit the following to the Land Use Department or the application shall be considered incomplete:
   a. A copy of the complete package of information sent to abutters;
   b. A list of the abutters to whom the notices were sent; and
   c. Proof of mailing to property owners required to be notified by Section 8.8.G or other section of these Regulations.

5. Notification to adjoining municipalities may be required in accordance with the requirements of Section 8.8.H.

6. Notification to water companies may be required in accordance with the requirements of Section 8.8.I.

7. Notification to DEEP regarding the Natural Diversity Database may be required in accordance with the requirements of Section 8.8.K.

8. The Commission shall process the Special Permit Application within the period of time permitted under CGS Section 8-7d:
   a. The public hearing shall commence within sixty-five (65) days after receipt of the application;
   b. The public hearing shall be completed within thirty-five (35) days after such hearing commences;
   c. All decisions shall be rendered within sixty-five (65) days after completion of such hearing; and
   d. The applicant may consent to one or more extensions of any period specified in this subsection provided the total extension of all such periods shall not be for longer than sixty-five (65) days.

9. Notwithstanding the provisions of this Section, if an application involves an activity regulated pursuant to CGS Sections 22a-36 to 22a-45, inclusive and the time for a decision by the Commission would elapse prior to the thirty-fifth day after a decision by the Conservation Commission / Inland Wetlands Agency, the time period for a decision shall be extended to thirty-five (35) days after the decision of such agency.

10. The applicant may, at any time prior to action by the Commission, withdraw such application.

Special Permit Application Flowchart

Timeframe	Applicant	PZC / Staff	Reference
	If "regulated activity" in wetlands involved, applicant must apply to Conservation Commission / Inland Wetlands Agency		See Section 8.4.B
	Applicant submits application materials to Land Use Department	Staff circulates application to local departments for review	See Section 8.4.B
		If needed, Staff notifies: • Adjacent communities • Water companies	See Section 8.8.9 See Section 8.8.I
A = Day 0		**Statutory Date of Receipt**	See Section 8.8.B
	Applicant notifies abutters Submits info at hearing	Staff publishes legal notices for public hearing	See Section 8.4.C
B = A + 65 Days ✱	Applicant presents application / responds to questions	***Public Hearing*** PZC receives Staff reports PZC reviews application Public may provide comments	See Section 8.4.C
	Applicant may submit revised maps / plans to address comments	***Public Hearing*** May be continued at PZC option	
C = B + 35 Days ✱		***Close Public Hearing***	
		Subsequent PZC Meeting(s) • Application review(s) • PZC Action	See Section 8.4.D See Section 8.4.F
D = C + 65 Days ✱		**Action Deadline**	
		Publish notice of decision	

✱ Timeframe may be extended by:
- Consent of applicant
- Wetlands report

DISCLAIMER – This graphic is a generalized overview of the application process and the provisions in the Connecticut General Statutes and the text of these Regulations shall control.

D. Decision Considerations

1. All uses and activities required to submit a Special Permit application are declared to possess such special characteristics that each shall be considered as an individual case.

2. On a Special Permit Application involving an activity regulated pursuant to CGS Sections 22a-36 to 22a-45, inclusive, the Commission shall:
   a. Wait to render its decision until the Conservation Commission / Inland Wetlands Agency has submitted a report with its final decision; and
   b. Give due consideration to any report of the Conservation Commission / Inland Wetlands Agency when making its decision.

3. On a Special Permit Application involving notice to adjoining municipalities under Section 8.8.H or notice to water companies under Section 8.8.I, the Commission shall give due consideration to any report received.

4. Before the Commission approves a Special Permit Application, it shall determine that the application:
   a. Is in conformance with the applicable provisions of these Regulations;
   b. Has, in the sole discretion of the Commission, satisfied the Special Permit Criteria in Section 8.4.E; and
   c. Is in harmony with the purposes and intent of these Regulations and the most recently adopted Plan of Conservation and Development.

5. Before granting a Special Permit, the Commission shall determine that any accompanying Site Plan Application is in conformance with the applicable provisions of these Regulations.

6. In granting a Special Permit, the Commission may:
   a. Stipulate such conditions as are reasonable and necessary to protect or promote the public health, safety or welfare; the environment; sound planning and zoning principles; improved land use, site planning and land development; or better overall neighborhood compatibility; and
   b. Impose additional requirements, conditions or safeguards as a prerequisite to the issuance of the determination of zoning compliance by the Zoning Enforcement Officer, if it shall be found necessary in order as reasonably necessary to serve public safety and welfare.

7. Where the Commission finds or has reason to believe that circumstances or conditions upon which a Special Permit is warranted may change over time (such as earth removal operations and/or similar activities), the Commission may:
   a. Set time limits on the Special Permit and/or limit the time during which the Special Permit shall remain valid;
   b. Call for the review and substantiation of the justifying circumstances or conditions at periodic intervals; and/or
   c. Require periodic renewal of the Special Permit with or without a public hearing.

E. Special Permit Criteria

A. Suitable Location for Use -

1. The location and size of the site, the nature and intensity of the operations involved in or conducted in connection with the use, and the location of the site with respect to streets giving access to it are such that the use shall be in harmony with the appropriate and orderly development in the district in which it is located and shall promote the welfare of the Town.
2. The proposed use shall be of such location, size, and characteristics 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 shall not be detrimental to the orderly development of adjacent properties in accordance with the zoning classifications of such properties.

B. Appropriate Improvements -

1. The design elements of the proposed development are suitable in relation to the site characteristics, the style of other buildings in the immediate area, and the existing and probable future nature of the neighborhood in which the use is located.
2. The location, nature, and height of buildings, walls and fences, planned activities and the nature and extent of landscaping on the site will be such that the use shall not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof.
3. The proposed use or activity shall not have adverse effect upon the neighboring area resulting from the use of signs, artificial illumination, or any noise-making device(s).

C. Suitable Transportation Conditions -

1. The design, location, and specific details of the proposed use or activity shall not decrease "level of service", adversely affect safety in the streets nor interfere with the pattern of vehicular circulation in such a manner as to create or augment unsafe traffic conditions.
2. Parking area or areas will be of adequate size for the particular use and shall be suitably screened from adjoining residential uses and entrance and exit drives will be laid out so as to prevent traffic hazards and nuisances.
3. Streets and other rights-of-way will be of such size, condition and capacity (in terms of width, grade, alignment and visibility) to adequately accommodate the traffic to be generated by the particular proposed use.

D. Adequate Utilities and Services -

1. The provisions for water supply, sewage disposal, and storm water drainage conform to accepted engineering practices, comply with all standards of the appropriate regulatory authority, and shall not unduly burden the capacity of such facilities.
2. The proposed use or activity shall provide easy accessibility for fire apparatus and police protection and is laid out and equipped to further the provision of emergency services.

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E. Environmental Protection & Conservation -

1. Appropriate consideration shall be given to the protection, preservation, and/or enhancement of natural resources and unique resources including, where appropriate, the use of conservation restrictions to protect and permanently preserve such resources and features.
2. Suitable consideration shall be given to whether the proposed development is appropriate given soil types, terrain, and the characteristics of the land.
3. Appropriate consideration shall be given to the protection, preservation, and/or enhancement of historic and archeologic resources including, where appropriate, the use of conservation restrictions to protect and permanently preserve such resources and features.
4. Appropriate consideration shall be given to the protection, preservation, and/or enhancement of scenic resources including, where appropriate, the use of conservation restrictions to protect and permanently preserve such resources and features.

F. Long Term Viability -

1. Adequate provision has been made for the sustained maintenance of the proposed development (structures, streets, and other improvements).

G. Consistency With Overall Objectives -

1. The proposed use or activity does not conflict with the purposes of the Regulations, as amended.
2. The proposed use or activity does not conflict with achievement of the goals, objectives, policies, and recommendations of the Plan of Conservation & Development, as amended.
3. The proposed use or activity adequately addresses the health, safety, and welfare of the public, in general, and the immediate neighborhood in particular.

F. Action Documentation

1. The Commission shall, whenever it grants a Special Permit, state upon its record the reason(s) for its decision.

2. The Commission shall send, by Certified Mail, a copy of any decision on a Special Permit Application to the applicant within fifteen days after such decision is rendered.

3. The decision shall:
   a. State the name of the owner of record;
   b. Contain a description of the premises to which it relates;
   c. Identify the Section of the Regulations under which the Special Permit was granted or denied; and
   d. Specify the nature of the Special Permit.

4. The Commission shall cause notice of the approval or denial of the Special Permit Application to be published in accordance with applicable provisions of CGS Chapter 124 (such as CGS Section 8-7d).

5. In any case in which such notice is not published within the fifteen-day period after a decision has been rendered, the person who submitted such application may provide for the publication of such notice within ten days thereafter.

G. Following Approval

1. A Special Permit granted by the Commission shall only become effective upon the filing of a copy, certified by the Commission, in the land records of the Town, in accordance with the provisions of CGS Section 8-3d.

2. A Special Permit shall only authorize the particular use or uses specified in the Commission's approval.

3. Failure to adhere strictly to the documents, plans, terms, conditions, and/or safeguards approved by the Commission or its staff shall be a violation of these Regulations.

4. Any approved Special Permit Use which is not filed in the Office of the Town Clerk within a period of 12 months shall become null and void, unless an extension of time is applied for within the 12-month period and granted by the Commission. A single extension may be granted for a period of not more than 12 months from the anniversary date of the date of approval.

5. An expired Special Permit shall be considered null and void.

6. Any condition or safeguards attached to the granting of a Special Permit shall remain with the property as long as the Special Permit use shall be in operation. These conditions and safeguards shall continue in force regardless of any change in ownership of the property.

7. Any authorized Special Permit shall be subject to revocation by the Commission if any condition or safeguard imposed by the Commission upon buildings, structures, land or uses for said permit shall not be strictly adhered to by the applicant, user and/or owner. Notification thereof shall be filed in the Office of the Town Clerk.

H. Amendments or Modifications

1. Applications for amendment or modification of a Special Permit may be authorized with Commission approval without another public hearing only when such amendment or modification:
   a. Is deemed to be in the public interest, or
   b. Is determined by the Commission to be of a minor nature or to not materially alter the Special Permit.

2. Other applications for amendment or modification of a Special Permit may only be authorized with Commission approval after another public hearing.

8.5. Regulation Amendment Application (PZC)

A. Application Requirements

1. A Regulation Amendment Application shall be submitted to the Land Use Department for any proposal to amend, change, or repeal any Section of these Regulations.

2. Any such application shall be accompanied by the material identified on the checklist in the Appendix for a Regulation Amendment application including, unless otherwise modified or directed by Commission staff, five (5) copies of the precise wording of the existing and proposed text and any other supporting information.

3. The application shall be accompanied by a fee, as provided in the fee schedule of the Town to cover the cost of administration.

4. The Commission may require the submission of additional information as deemed necessary to make a reasonable review of the application.

5. A Regulation Amendment Application shall only be submitted by:
   a. an owner of real property,
   b. residents or persons having an interest in land in Town, or
   c. by the Commission on its own initiative.

6. The Commission shall not be required to hear a Regulation Amendment Application relating to the same changes, or substantially the same changes, more than once in a period of twelve months unless it finds, on facts presented in writing, that a material change in circumstances justifies this action. A change of ownership of property or any interest therein shall not be deemed a material change in circumstances for the purpose of this Section.

7. The Commission shall not be required to hear an application that has been rejected within one (1) year from the date of rejection unless it finds, on facts presented in writing, that a material change in the situation justifies this action.

B. Proceedings

1. The date of receipt for the Regulation Amendment Application shall be determined in accordance with Section 8.8.B.

2. An incomplete Regulation Amendment Application shall be denied in accordance with Section 8.8.C.

3. The Commission shall hold a public hearing on the Regulation Amendment Application and:
   a. Shall cause a legal notice to be published in accordance with the requirements of Section 8.8.F; and
   b. May publish the full text of such proposed regulation in full in such notice.

4. For any proposed amendment to these Regulations initiated by the Commission:
   a. Any fees shall be waived; and
   b. The notice requirements of Section 8.8.F shall be sufficient.

5. The Commission may refer any application to amend these Regulations to any Town department or other agency the Commission deems appropriate and may request any such department or agency to submit a report to the Commission on matters that are of concern to it in connection with its own responsibility.

6. Notification to Councils of Governments may be required in accordance with the requirements of Section 8.8.J.

7. Notification to adjoining municipalities may be required in accordance with the requirements of Section 8.8.H.

8. Notification to water companies may be required in accordance with the requirements of Section 8.8.I.

9. Notification to DEEP regarding the Natural Diversity Database may be required in accordance with the requirements of Section 8.8.K.

10. A copy of the proposed regulation shall be filed by the applicant in the Office of the Town Clerk for public inspection at least ten (10) days before the public hearing.

11. In accordance with CGS Section 8-7d(g), the Commission shall notify any person or organization on the public notice registry at least seven (7) days prior to the commencement of the public hearing on the Regulation Amendment application.

12. The Commission shall process the Regulation Amendment Application within the period of time permitted under CGS Section 8-7d:
    a. The public hearing shall commence within sixty-five (65) days after receipt of the application;
    b. The public hearing shall be completed within thirty-five (35) days after such hearing commences;
    c. All decisions shall be rendered within sixty-five (65) days after completion of such hearing;
    d. The applicant may consent to one (1) or more extensions of any period specified in this subsection provided the total extension of all such periods shall not be for longer than sixty-five (65) days; and
    e. These provisions shall not apply to any action initiated by the Commission regarding adoption or change of any Regulation.

13. The applicant may, at any time prior to action by the Commission, withdraw such application.

Regulation Amendment Application Flowchart

Timeframe	Applicant	PZC / Staff	Reference
	Applicant submits application materials to Land Use Department	Staff circulates application to local departments for review and files notice at Town Clerk	See Section 8.5.A
		If needed, Staff notifies: • Council of Governments • Adjacent communities • Water companies • Public Notice Registry	See Section 8.8.J See Section 8.8.H See Section 8.8.I
A = Day 0		**Statutory Date of Receipt**	See Section 8.8.B
		Staff publishes legal notices for public hearing	See Section 8.5.B
B = A + 65 Days ✱	Applicant presents application / responds to questions	***Public Hearing*** PZC receives Staff reports PZC reviews application Public may provide comments	See Section 8.5.C
	Applicant may submit revised text to address comments	***Public Hearing*** May be continued at PZC option	
C = B + 35 Days ✱		***Close Public Hearing***	
		Subsequent PZC Meeting(s) • Application review(s) • PZC action	See Section 8.5.C See Section 8.5.D
D = C + 65 Days ✱		**Action Deadline**	
		Publish notice of decision	

✱ Timeframe may be extended by:

- Consent of applicant (applications initiated by the Commission are not subject to these timeframes and the timeframes may be extended)

DISCLAIMER – This graphic is a generalized overview of the application process and the provisions in the Connecticut General Statutes and the text of these Regulations shall control.

C. Decision Considerations

1. The Commission shall act upon the changes requested in such Regulation Amendment Application.

2. Any report from an adjacent municipality or a Council of Governments shall be made a part of the record of such hearing.

3. On a Regulation Amendment Application involving notice to adjoining municipalities under Section 8.8.H, notice to water companies under Section 8.8.I, or notice to a Council of Governments Section 8.8.J, the Commission shall give due consideration to any report or testimony received.

4. In making its decision the Commission shall take into consideration the Plan of Conservation and Development, prepared pursuant to CGS Section 8-23.

5. Before approving any Regulation Amendment Application, the Commission shall determine that the proposed regulation change will aid in:
   a. Protecting the public health, safety, or welfare;
   b. Attaining the purposes of these Regulations; and
   c. Accomplishing the provisions contained in Section 8-2(a) of the Connecticut General Statutes.

6. Such Regulation(s) shall be established, changed or repealed only by a majority vote of all the members of the Commission. If a protest against a proposed change is filed at or before a hearing with the Commission, (1) signed by the owners of fifty percent (50%) or more of the area of the lots affected by such proposed change or included in such proposed change, (2) fifty percent (50%) or more of the owners of the lots included in such area, or (3) fifty percent (50%) or more of the lots within (500) feet in all directions of the property included in the proposed change.

D. Action Documentation

1. Whenever the Commission acts upon a Regulation Amendment Application, it shall state upon the record the reasons for its decision.

2. In making its decision, the Commission shall state on the record its findings on consistency of the proposed establishment, change, or repeal of such Regulations with the Plan of Conservation and Development, as amended.

3. As part of approving a Regulation Amendment Application, the Commission shall establish an effective date for the Regulation change provided that a notice of the decision of the Commission shall have been published in accordance with applicable provisions of CGS Chapter 124 (such as CGS Section 8-7d).

4. The Commission shall send, by Certified Mail, a copy of any decision on a Regulation Amendment Application to the applicant within fifteen (15) days after such decision is rendered.

5. The Commission shall cause notice of the approval or denial of the Regulation Amendment Application to be published in accordance with applicable provisions of CGS Chapter 124 (such as CGS Section 8-7d) within fifteen days after such decision is rendered.

6. In any case in which such notice is not published within the fifteen (15) day period after a decision has been rendered, the person who submitted such application may, in accordance with CGS Section 8-3(d), provide for the publication of such notice in a newspaper with substantial circulation in Watertown in order to establish the appeal period per CGS Section 8-7.

E. Following Approval

1. A regulation amendment approved by the Commission shall be filed in the Office of the Town Clerk before the effective date.

8.6. Zone Change Application (PZC)

A. Application Requirements

1. A Zone Change Application shall be submitted in writing to the Land Use Department on forms provided by the Commission for any proposal to alter the zoning designation of any parcel of land or part thereof.

2. A Zone Change Application shall be:
   a. Initiated by the affected property owner(s); or
   b. Commenced by the Commission on its own initiative.

3. Unless such application is initiated by the Commission, the application shall include the material identified on the checklist in the Appendix for a Zone Change Application including:
   a. A metes and bounds description of the land to be included in the amendment;
   b. Written reason(s) for the proposed amendment;
   c. Unless otherwise modified or directed by Commission staff, five (5) copies of a map, accurately drawn to a maximum scale of 50 feet or a minimum of two-hundred (200) feet to the inch, showing north arrow, name of the petitioner and all existing lots, dimensions, property lines, streets, the location size and use of existing structures within the area of proposed change, existing and proposed zoning for the area included in and within five-hundred (500) feet of the subject property, and any other information considered pertinent by the applicant;
   d. A list of all property owners required to be notified in Section 8.8.G plus the names, addresses, tax map and lot numbers of all owners of property subject to the proposed amendment; and
   e. A fee, as provided in the fee schedule of the Town to cover the cost of administration.

4. The Commission shall not be required to hear a Zone Change Application that has been rejected within one (1) year from the date of rejection unless it finds, on facts presented in writing, that a material change in the situation justifies this action. A change of ownership of property or any interest therein shall not be deemed a material change in the situation for the purpose of this Section.

B. Proceedings

1. The date of receipt of the Zone Change Application shall be determined in accordance with Section 8.8.B.

2. The Commission shall hold a public hearing on the Zone Change Application and:
   a. Shall cause a legal notice to be published in accordance with the requirements of Section 8.8.F; and
   b. Require that the applicant give notice by US Postal Service Certified Mail, Return Receipt Requested to property owners within 500 feet in accordance with the requirements of Section 8.8.G and the following:
      - Applicant files applications and maps with Land Use Department (including 8.5x11 maps showing zone change request).
      - Applicant provides list of property owners within 500 feet.
      - Land Use Department provides cover letter and copy of legal notice to applicant.
      - Applicant sends the required legal notice to property owners.
      - Applicant submits US Postal Service Return Receipts to the Land Use Department before or at the Public Hearing.

3. The Commission may refer any application to amend the Zoning Map to any Town department or other agency the Commission deems appropriate and may request any such department or agency to submit a report to the Commission on matters that are of concern to it in connection with its own responsibility.

4. In accordance with Section 8.8.J of these Regulations, any proposed change of zone affecting any properties within 500 feet of the Town line shall be referred to the regional Council of Governments.

5. Notification to adjoining municipalities may be required in accordance with the requirements of Section 8.8.H.

6. Notification to water companies may be required in accordance with the requirements of Section 8.8.I.

7. A copy of the proposed zone change shall be filed by the applicant in the Office of the Town Clerk for public inspection at least ten (10) days before the public hearing.

8. The Commission shall process the Zone Change Application within the period of time permitted under CGS Section 8-7d:
   a. The public hearing shall commence within sixty-five (65) days after receipt of the application;
   b. The public hearing shall be completed within thirty-five (35) days after such hearing commences;
   c. All decisions shall be rendered within sixty-five (65) days after completion of such hearing;
   d. The applicant may consent to one or more extensions of any period specified in this subsection provided the total extension of all such periods shall not be for longer than sixty-five (65) days; and
   e. These provisions shall not apply to any action initiated by the Commission regarding a Zone Change Application.

9. In accordance with CGS Section 8-7d(g), the Commission shall notify any person or organization on the public notice registry at least seven (7) days prior to the commencement of the public hearing on the of the Zone Change application.

10. The applicant may at any time prior to action by the Commission, withdraw such application.

Zone Change Application Flowchart

Timeframe	Applicant	PZC / Staff	Reference
	Applicant submits application materials to Land Use Department	Staff circulates application to local departments for review and files notice at Town Clerk	See Section 8.6.A
		If needed, Staff notifies: • Council of Governments • Adjacent communities • Water companies • Public Notice Registry	See Section 8.8.J See Section 8.8.H See Section 8.8.I
A = Day 0		**Statutory Date of Receipt**	See Section 8.8.B
	Applicant notifies nearby property owners	Staff publishes legal notices for public hearing	See Section 8.6.B
B = By A + 65 Days ✱	Applicant presents application / responds to questions	***Public Hearing*** PZC receives Staff reports PZC reviews application Public may provide comments	See Section 8.6.C
	Applicant may submit revised text to address comments	***Public Hearing*** May be continued at PZC option	
C = By B + 35 Days ✱		***Close Public Hearing***	
		Subsequent PZC Meeting(s) • Application review(s) • PZC action	See Section 8.6.C See Section 8.6.D
D = By C + 65 days ✱		**Action Deadline**	
		Publish notice of decision	

✱ Timeframe may be extended by:

- Consent of applicant (applications initiated by the Commission are not subject to these timeframes and the timeframes may be extended)

DISCLAIMER – This graphic is a generalized overview of the application process and the provisions in the Connecticut General Statutes and the text of these Regulations shall control.

C. Decision Considerations

1. On a Zone Change Application involving notice to adjoining municipalities under Section 8.8.H, notice to water companies under Section 8.8.I, or notice to a Council of Governments under Section 8.8.J, the Commission shall give due consideration to any report or testimony received.

2. In making its decision the Commission shall take into consideration the Plan of Conservation and Development, prepared pursuant to CGS Section 8-23.

7. Such Zone Change shall be established, changed or repealed only by a majority vote of all the members of the Commission. If a protest against a proposed change is filed at or before a hearing with the Commission, (1) signed by the owners of fifty percent (50%) or more of the area of the lots affected by such proposed change or included in such proposed change, (2) fifty percent (50%) or more of the owners of the lots included in such area, or (3) fifty percent (50%) or more of the lots within (500) feet in all directions of the property included in the proposed change.

D. Action Documentation

1. Whenever the Commission acts upon a Zone Change Application, it shall state upon the record:
   a. The reason for its decision; and
   b. Its findings on consistency of the proposed zone change with the Plan of Conservation and Development, as amended.

2. As part of approving a Zone Change Application, the Commission shall establish an effective date for the zone change provided a notice of the decision of the Commission shall have been published in accordance with applicable provisions of CGS Chapter 124 (such as CGS Section 8-7d) before such effective date.

3. The Commission shall send, by Certified Mail, a copy of any decision on a Zone Change Application to the applicant within fifteen (15) days after such decision is rendered.

4. The Commission shall cause notice of the approval or denial of the Zone Change Application to be published in accordance with applicable provisions of CGS Chapter 124 (such as CGS Section 8-7d) within fifteen (15) days after such decision is rendered.

5. In any case in which such notice is not published within the fifteen (15) day period after a decision has been rendered, the person who submitted such application may, in accordance with CGS Section 8-3(d), provide for the publication of such notice in a newspaper with substantial circulation in Watertown in order to establish the appeal period per CGS Section 8-7.

E. Following Approval

1. A Zone Change Application approved by the Commission shall be filed in the Office of the Town Clerk before the effective date.

8.7. Zoning Board Of Appeals Procedures (ZBA)

A. General Provisions

1. **Appointment** - There shall be a Zoning Board of Appeals (ZBA) established pursuant to the provisions of any special or public act adopted by the General Assembly and any Charter provisions adopted by the Town.

2. **Powers And Duties** - The Board shall have the following powers and duties:
   a. **Appeal Of Order** - to hear and decide appeals where it is alleged that there is an error in any order, requirement or decision made by the Zoning Enforcement Officer except that no order, requirement, or decision made by the Planning and Zoning Commission shall be subject to a review by the Board of Appeals;
   b. **Vary Regulations** - to determine and vary the application of the Zoning Regulations solely with respect to a parcel of land where, owing to conditions especially affecting such parcel but not affecting generally the district in which it is situated, a literal enforcement of these Regulations would result in exceptional difficulty or unusual hardship and only when such determination or variance shall:
      - Be in harmony with the general purpose and intent of these Regulations,
      - Give due consideration for conserving the public health, safety, convenience, and welfare; and
      - Result in substantial justice being done and the public safety and welfare secured.
   c. **Other Matters** - to hear and decide all matters referred to it and upon which it shall be required to pass under any provision of these Regulations or State law.

3. **General Provisions** -
   a. All appeals and applications made to the Board of Appeals shall be in writing on forms prescribed by the Board.
   b. All applications and appeals shall be accompanied by the required fee to cover the cost of advertising and processing. The Board of Appeals is authorized to waive fees for non-profit agencies.
   c. Each appeal or application shall:
      - Fully set forth the circumstances of the case.
      - Refer to the specific provision of the regulation involved.
      - Exactly set forth as the case may be, the interpretation that is claimed, the details of the variance that is applied for, and the grounds on which it is claimed that the variance should be granted.

4. **Meetings** -
   a. All meetings of said Board shall be held at the call of the Chairman or Secretary at such times as the Board may determine and shall be open to the public.
   b. The Chairman or, in his absence, the Acting Chairman, may administer oaths and compel the attendance of witnesses.
   c. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question or, if absent or failing to vote, shall indicate such fact, and shall keep records of its examinations and other official acts.
   d. Each rule or regulation and each amendment or repeal thereof and each order, requirement or decision of the Board shall immediately be filed in the Land Use Department and shall be a public record.
   e. If a regular member of the Board of Appeals is absent, the member may designate an alternate from the panel of alternates to act in his place but if the member fails to make such designation or if they are disqualified, the chairman of the Board shall designate an alternate from such panel.
   f. In choosing an alternate, the Chairman shall choose alternates in rotation so that they shall act as nearly equal a number of times as possible and, if any alternate is not available in accordance with such rotation, such fact shall be recorded in the minutes of the meeting.

5. **Disqualification Of Member** - A member of the Board shall disqualify themselves to act in a given case by reason of their relationship to any party involved or of financial interest in the matter before the Board.

B. Appeal Of Enforcement Decisions

1. **Authority** - In accordance with CGS Section 8-7, an appeal may be taken to the Board of Appeals by a person alleging to be aggrieved by an order, requirement, or decision made by the Zoning Enforcement Officer.

2. **Application Materials** –
   a. Any such appeal shall be taken within thirty (30)-days of the issuance of the order, requirement, or decision by filing a notice of appeal on the application forms provided by the Town with the Zoning Enforcement Officer and the Zoning Board of Appeals specifying the grounds thereof.
   b. The Zoning Enforcement Officer shall forthwith transmit to said Board all the papers constituting the record upon which the appeal was taken.
   c. When warranted by the proximity of the proposed change of use or construction or alteration of a structure to any property line, the Board of Appeals may require the filing of a survey meeting the Class A-2 accuracy standards of the Code of Practice for Standards of Accuracy of Surveys and Maps, by the Connecticut Association of Land Surveyors, Inc.

3. **Effect of Appeal** –
   a. Where such appealable decision by the Zoning Enforcement Officer prohibits further construction or expansion of a use in violation of the Zoning Regulations, an appeal shall not be cause for such construction or expansion to continue except to such extent that the Board may allow when ruling on the appeal.
   b. In situations other than that described in Section 8.7.B.3.a above, an appeal shall temporarily stop all zoning enforcement and proceedings with regard to such order, requirement or decision unless the Zoning Enforcement Officer certifies to the Board of Appeals after the appeal has been filed that, by reason of facts stated in the certificate, a stay would cause imminent peril to life or property.
   c. If the Zoning Enforcement Officer certifies to the Board of Appeals that a stay would cause imminent peril to life or property, enforcement and proceedings shall only be stayed by a restraining order granted by a court of record, on notice to the Zoning Enforcement Officer and on due cause shown.

4. **Proceedings** -
   a. The Board shall hold a public hearing on the appeal and publish a legal notice in accordance with the requirements of Section 8.8.F.
   b. The applicant shall post a notification sign, to be furnished by the Zoning Enforcement Officer, at least ten (10) days prior to the hearing. Failure to post such sign shall be grounds for denial of the application. All such signs shall be clearly legible from the street.
   c. At such hearing, any party may appear in person or may be represented by agent or by attorney.
   d. Notification to adjoining municipalities may be required in accordance with the requirements of Section 8.8.H.
   e. Notification to water companies may be required in accordance with the requirements of Section 8.8.I.
   f. The Board shall process the appeal within the period of time permitted under CGS Section 8-7d:
      - The public hearing shall commence within sixty-five (65) days after receipt of the appeal;
      - The public hearing shall be completed within thirty-five (35) days after such hearing commences;
      - All decisions shall be rendered within sixty-five (65) days after completion of such hearing; and
      - The applicant may consent to one or more extensions of any period specified in this subsection provided the total extension of all such periods shall not be for longer than sixty-five (65) days.
   g. The applicant may, at any time prior to action by the Board, withdraw such application.

5. **Considerations** –
   a. The Board shall have all the powers of the Zoning Enforcement Officer from whom the appeal has been taken but only in accordance with the provisions of this Section.
   b. The Board shall make such order, requirement or decision as in its opinion should be made in the circumstances.
   c. The Board may reverse, affirm wholly or partly, or may modify any order, requirement, or decision from which an appeal has been taken.
   d. The concurring vote of four (4) members of the Board shall be necessary to reverse, affirm partly, or modify any order, requirement, or decision of the official charged with the enforcement of the Regulations.
   e. Whenever the Board sustains or reverses wholly or partly any order, requirement or decision appealed from, it shall state upon its records the reason for its decision and the Regulation which is varied in its application or to which an exception is granted.

6. **Action Documentation** -
   a. The Board shall, whenever it grants or denies an appeal, state upon its record the reason(s) for its decision.
   b. Notice of the decision of the Board shall be sent by Certified Mail to any person who appeals to the Board within fifteen (15) days after such decision has been rendered.
   c. Notice of the decision of the board shall be published in accordance with applicable provisions of CGS Chapter 124 (such as CGS Section 8-7d) within fifteen (15) days after such decision has been rendered.
   d. In any case in which such notice is not published within such fifteen (15) day period, the person who took such appeal may provide for the publication of such notice within ten (10) days thereafter.

C. Variances

1. **Authority** - In accordance with CGS Section 8-6, the Board of Appeals shall have the power and duty to determine and vary the application of the Regulations solely with respect to a parcel of land where, owing to conditions especially affecting such parcel but not affecting generally the district in which it is situated, a literal enforcement of these Regulations would result in exceptional difficulty or unusual hardship.

2. **Application Requirements** -
   a. A Variance Application shall be accompanied by six (6) copies of sufficiently detailed plans for review by the Board and its designees.
   b. An accurate and detailed plan drawn to scale is required showing the type and the degree of the variance requested, however, the Board of Appeals may require the filing of a survey meeting the Class A-2 accuracy standards of the Code of Practice for Standards of Accuracy of Surveys and Maps, by the Connecticut Association of Land Surveyors, Inc., when the variance is dimensional in nature or such survey is integral to the understanding of the application.
   c. An application to the ZBA shall be accompanied by a fee as provided in Appendix C to these Regulations.
   d. If a Variance Application involves an activity regulated pursuant to CGS Sections 22a-36 to 22a-45, inclusive, the applicant shall submit an application for a permit to the Conservation Commission / Inland Wetlands Agency not later than the day such application is filed with the Board.
   e. The Board shall not be required to hear any application for the same variance or substantially the same variance for a period of six (6) months after a decision by the Board or by a court on an earlier such application.

3. **Nature of Variance** -
   a. Any variance granted by the Zoning Board of Appeals shall run with the land and shall not be personal in nature to the person who applies for and receives the variance.
   b. A variance shall not be extinguished solely because of the transfer of title to the property or the invalidity of any condition attached to the variance that would affect the transfer of the property from the person who initially applied for and received the variance.
   c. A variance shall only authorize the particular activity specified in the Board's approval.

4. **Proceedings** -
   a. The date of receipt for the Variance Application shall be determined in accordance with Section 8.8.B.
   b. The Board shall hold a public hearing on the Variance Application and:
      - Publish a legal notice in accordance with the requirements of Section 8.8.F;
      - Not less than fifteen (15) days before the subject hearing, the applicant shall mail by US Postal Service Certified Mail, Return Receipt Requested a copy of the legal notice of the hearing to the owners of each parcel or property adjoining the appellant's property, as determined from the latest real estate list of the Town in the Tax Assessor's Office; and
      - At the hearing, the applicant, or his/her legal representative, shall submit evidence of the required mailing in the form of U.S. Postal Service Return Receipts, a list showing the names and address of the owners of all such properties, and a copy of the notification (including attachments) which were mailed.
   c. The applicants shall post a notification sign, to be furnished by the Zoning Enforcement Officer, at least ten (10) days prior to the hearing. Failure to post such sign shall be grounds for denial of the application. All such signs shall be clearly legible from the street.
   d. At such hearing, any party may appear in person or may be represented by agent or by attorney.
   e. Notification to adjoining municipalities may be required in accordance with the requirements of Section 8.8.H.
   f. Notification to water companies may be required in accordance with the requirements of Section 8.8.I.
   g. An incomplete Variance Application shall be denied in accordance with Section 8.8.C.
   h. The Board shall process the Variance Application within the period of time permitted under CGS Section 8-7d:
      - The public hearing shall commence within sixty-five (65) days after receipt of the application;
      - The public hearing shall be completed within thirty-five (35) days after such hearing commences;
      - All decisions shall be rendered within sixty-five (65) days after completion of such hearing; and
      - The applicant may consent to one or more extensions of any period specified in this subsection provided the total extension of all such periods shall not be for longer than sixty-five (65) days.
   i. The applicant may, at any time prior to action by the Board, withdraw such application.

5. **Decision Considerations** -
   a. Whenever a Variance Application is joined with an enforcement appeal pursuant to Section 8.G.2, the Board shall first decide the issues presented by such appeal.
   b. The application of a regulation affirming a statute shall not be subject to variance.
   c. In order to approve an application for a variance, the Board shall find that a literal enforcement of these Regulations would result in exceptional difficulty or unusual hardship:
      - Solely with respect to the parcel of land that is the subject of the application;
      - Owing to conditions especially affecting such parcel but not affecting generally the district in which it is situated; and
      - Shall not be based upon the non-conforming use of neighboring lands, structures, or buildings.
   d. The Board shall only grant the minimum variance necessary to alleviate the exceptional difficulty or unusual hardship:
      - In harmony with the general purpose and intent of these Regulations;
      - With due consideration for conserving the public health, safety, convenience, and welfare; and
      - So that substantial justice shall be done and the public safety and welfare secured.
   e. Whenever the Board of Appeals grants or denies any variance in the Zoning Regulations applicable to any property it shall state upon its records:
      - The reason for its decision;
      - The Regulation which is varied in its application; and
      - When a variance is granted, a specific description of the exceptional difficulty or unusual hardship on which its decision is based.
   f. The concurring vote of four (4) members of the Board shall be necessary to vary the application of the Zoning Regulations.

6. **Action Documentation** -
   a. The Commission shall, whenever it grants or denies a Variance Application, state upon its record the reason(s) for its decision.
   b. Notice of the decision of the Board shall be sent by Certified Mail to any applicant to the Board within fifteen (15) days after such decision has been rendered. Such notice shall:
      - State the name of the owner of record;
      - Contain a description of the premises to which it relates;
      - State the nature of the hardship claimed; and
      - Specify the nature of such variance including the Regulation which is varied in its application.
   c. Notice of the decision of the Board shall be published in accordance with applicable provisions of CGS Chapter 124 (such as CGS Section 8-7d) within fifteen (15) days after such decision has been rendered.
   d. In any case in which such notice is not published within such fifteen (15) day period, the applicant may provide for the publication of such notice within ten (10) days thereafter.

7. **Following Approval** -
   a. A variance granted by the Board shall only become effective upon the filing of a copy, certified by the Board, on the Land Records, in accordance with the provisions of CGS Section 8-3d.

D. Approval Of Location (Gasoline Sales)

1. In accordance with CGS Section 14-321, any person who desires to obtain a license for the sale of gasoline or any other product under the provisions of CGS Section 14-319 (including the alteration or changing of adjoining physical properties for such purpose) shall submit an application for a Certificate of Location Approval to the ZBA except that this requirement shall not apply:
   a. In the case of a renewal of a license by the holder of the license;
   b. To the transfer of the last issued license from one person to another provided no more than one (1) year has elapsed since the expiration of such license; or
   c. In the case of the addition or discontinuance of pumps.

2. In reviewing a Certificate of Location Approval application, the ZBA is acting as an agent of the State of Connecticut and the notice provisions and other provisions of CGS Chapter 124 (CGS Section 8-1 et seq.) shall not apply.

3. The ZBA may hold a public hearing on the Certificate of Location Approval application filed in accordance with CGS Section 14-321 and, if such hearing is to be held:
   a. Shall cause a legal notice to be published in accordance with the requirements of Section 8.8.F of these Regulations; and
   b. May require that the applicant give notice to nearby property owners in accordance with the requirements of Section 8.8.G of these Regulations.

4. The applicant may withdraw any Certificate of Location Approval application at any time prior to action by the Zoning Enforcement Officer or by the ZBA.

5. Approval of a Certificate of Approval of Location by the ZBA as per CGS Section 14-321 does not preclude any requirement for, or approval of, Site Plans or Special Permits by the Planning and Zoning Commission.

8.8. Procedural Elements

A. Application Submittal Requirements

1. Applications to the Commission or the Board of Appeals shall be submitted to the Zoning Enforcement Officer on forms obtained from the Land Use Department for the type of application being submitted.

2. Applications shall be accompanied by the appropriate fee(s) as provided in Section 36-4 of the Town of Watertown Code of Ordinances, as may be amended, except that the Commission or the Town shall be exempt from any application fee.

3. Applications shall be submitted with such supporting plans, materials, and other information as required by these Regulations.

4. Applications shall be signed by the applicant and, if applicable, the owner of the property affected.

B. Date Of Receipt

1. For the purposes of calculating statutory time frames for processing applications, the date of receipt of an application to the Commission or the Board of Appeals shall be the earlier of:
   a. The day of the next regularly scheduled meeting of the Commission or the Board of Appeals immediately following the day of submission of the application to the Zoning Enforcement Officer ; or
   b. Thirty-five (35) days after submission to the Zoning Enforcement Officer.

C. Incomplete Applications

1. Each application shall be reviewed by the Zoning Enforcement Officer to determine whether the application is substantially complete.

2. An application shall not be considered actually complete until all of the information as required by these Regulations, the Commission, or the Board of Appeals has been received by the Commission or the Board of Appeals at a regularly scheduled meeting.

3. An application considered by the Commission to be incomplete or an application submitted without the requisite fee shall be denied. Failure by an applicant to submit required fees, bonds and sureties, or third-party agreements for technical assistance services shall be grounds for denial of an application.

D. Sequence Of Hearings

1. Where a proposed development or activity requires multiple applications, the Commission may conduct any public hearings simultaneously or in the order they deem appropriate.

E. Consultations

1. On any application, the Commission or Board may seek the advice and opinion of other officials, boards, commissions, or other organizations to assist it in evaluating applications.

2. On any application, the Commission or Board may, in accordance with CGS Section 8-1c(b):
   a. Retain an architect, landscape architect, professional land use planner, or other consultant to review, comment, and guide its deliberations on any application; and
   b. Require that the applicant, to the extent authorized by any Town Ordinance:
      - Deposit funds with the Commission or Board for the costs of any consulting review fees, or
      - Reimburse the Commission or Board for the cost of such consulting review.

F. Publication Of Notice

1. When a public hearing is required by these Regulations or scheduled by the Commission, the Zoning Enforcement Officer shall cause notice of the hearing to be published in accordance with applicable provisions of CGS Chapter 124 (such as CGS Section 8-7d).

2. Such notice shall be published at least twice at intervals of not less than two days, the first not more than fifteen days, nor less than ten days, and the last not less than two days before the date of the hearing.

G. Notice To Nearby Property Owners

1. Unless a different distance is required by these Regulations, applicants or their representatives shall be responsible for notifying owners of adjoining property of the subject property of any pending application for Special Permit or Zone Change Application.

2. As part of any application for a Zone Change, the applicant shall submit:
   a. A list of the names and addresses of owners of property within 500 feet of the subject property utilizing the latest records of the Town Tax Assessor to determine the owner of each property; and
   b. A map showing the subject property, the surrounding properties and the approximate location of structures within 500 feet of the subject property, including tax lot numbers.

3. The applicant shall notify each adjoining property owner of the subject property of the time, place, date, and purpose of the hearing by sending a copy of the legal notice to each adjoining property owner not less than ten (10) days prior to the scheduled hearing.

4. Notices from the applicant to the adjoining property owners shall be sent via by US Postal Service Certified Mail, Return Receipt Requested.

5. Prior to the date of the Public Hearing regarding the application, the applicant shall submit:
   a. The Return Receipts;
   b. A list of the property owners to whom the notices were sent; and
   c. A copy of the letter and any enclosures sent to the property owners.

H. Notice To Adjoining Municipalities

1. In accordance with CGS Section 8-7d(f), the Commission or Board of Appeals shall notify the clerk of an adjoining municipality of any application concerning any project on any site in which:
   a. Any portion of the property affected by a decision is within five-hundred (500) feet of the boundary of the adjoining municipality;
   b. A significant portion of the traffic to the completed project shall use streets within the adjoining municipality to enter or exit the site;
   c. A significant portion of the sewer or water drainage from the project shall flow through and significantly impact the drainage or sewerage system within the adjoining municipality; or
   d. Water runoff from the improved site shall impact streets or other municipal or private property within the adjoining municipality.

2. Such notice shall be made by Certified Mail return receipt requested and shall be mailed within seven (7) days of the day of the submission to the Zoning Enforcement Officer of the application, petition, request, or plan.

3. No hearing shall be conducted on any application, petition, request, or plan unless the adjoining municipality has received the notice required under this Section.

4. Such adjoining municipality, through a representative, may appear and be heard at any hearing on any such application, petition, request, or plan.

I. Notice To Water Companies

1. In accordance with CGS Section 8-3i, an applicant shall provide written notice to a water company when an application, petition, request or plan is filed with the Commission or Board of Appeals concerning any project on any site which is within:
   a. An aquifer protection area, provided such area has been delineated in accordance with CGS Section 22a-354c; or
   b. The watershed of a water company, provided such water company has filed a map with the Commission or the Board of Appeals or on the land records showing the boundaries of the watershed.

2. Such notice shall be made by Certified Mail return receipt requested and shall be mailed within seven (7) days of the date of the day of the submission to the Zoning Enforcement Officer of the application, petition, request, or plan.

3. Prior to the scheduled meeting regarding the application, the applicant shall submit the following to the Zoning Enforcement Officer or the application shall be considered incomplete:
   a. A copy of the complete package of information sent to a water company;
   b. Proof of mailing; and
   c. The return receipt(s).

4. Such water company may, through a representative, appear and be heard at any hearing on any such application, petition, request, or plan.

J. Notice To Regional Councils Of Governments

1. The Commission shall give written notice to the regional Council of Governments when any portion of the land affected by a Zoning Regulation or boundary change affecting the use of a district is located within five-hundred (500) feet of the boundary of another municipality.

2. Such notice shall be made not later than thirty (30) days before the public hearing and shall be made by electronic mail or by Certified Mail, return receipt requested.

3. The Council of Governments may submit advisory findings and recommendations to the Commission at or before the hearing.

4. The Commission shall read any comments submitted by the regional Councils of Governments into the record of any public hearing or public meeting held on the application.

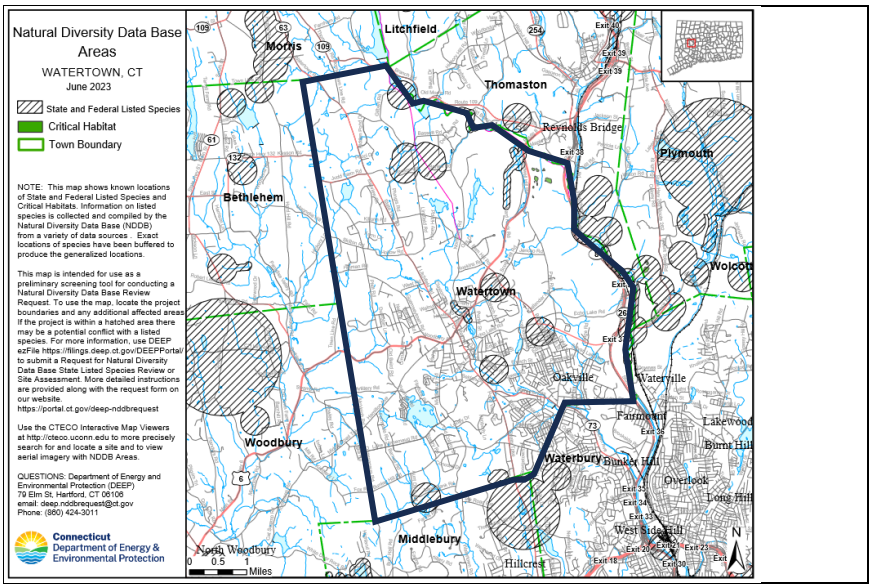
5. The lack of a response from any such agency shall not delay the processing of the application.

K. Notice To DEEP

1. If any portion of the property which is the subject of a Site Plan, Special Permit, or Planned development District application is located within a "shaded area" identified on the most current Natural Diversity Database maps for Watertown (see https://portal.ct.gov/DEEP/NDDB/Natural-Diversity-Data-Base-Maps), the applicant shall notify the Connecticut Department of Energy and Environmental Protection (DEEP) of the pending project at least 30 days prior to the official date of receipt for the application.

2. Evidence of such notification shall be provided to the Commission or Board as part of the application.

Example of Map (check DEEP website for most current information)



L. Beneficiaries Of A Trust

1. As required by CGS Section 8-7c, any person who makes an application to the Commission or Board pertaining to real property, the record title to which is held by a trustee of any trust, shall file with said application a sworn statement disclosing the name(s) of the equitable owner(s) of such real property or the beneficiary(ies) of the trust.

M. Financial Guarantee Requirements

1. Where a financial guarantee is required by any section of these Regulations, the Town Engineer or Administrator for Land Use And Building Services shall require evidence of compliance with the following standards before accepting any financial guarantee.

2. The required amount of the financial guarantee will be established by the Commission based on a listing provided by the applicant of the type and estimated quantities of materials needed to complete the approved improvements, exclusive of buildings. The amount of the financial guarantee shall be sufficient to cover the cost of any proposed or required public improvements.

3. The Commission may require a separate financial guarantee for all erosion and sedimentation controls required as part of the Site Plan approval.

4. All financial guarantees must be posted prior to the issuance of a Zoning Permit precedent to the issuance of a Building Permit. Site Plan approval(s), Special Permits(s), Special Exceptions, and any determination of zoning compliance shall be null and void if required financial guarantees are not posted as required. The Commission or Board may grant an extension of the established time limit for good cause if in its opinion, unusual circumstances prevent filing of the financial guarantee within the prescribed time limit.

5. **Acceptable Forms of Financial Guarantees** - Financial guarantees shall be in one or more of the following forms:
   a. Cash deposited with the Town;
   b. Certified check(s) payable to the Town, when the amount of any check is fully insured by the FDIC;
   c. Bank deposit(s) assigned solely and irrevocably to the Town, when the amount of any deposit is fully insured by the FDIC; and/or
   d. An irrevocable letter of credit naming the Town as sole beneficiary provided that:
      - Such letter of credit shall be issued by a branch of a bank in Connecticut or by a branch of a bank in the United States
      - The bank issuing the letter of credit shall be acceptable to the Town ;
      - The terms and conditions of such letter of credit shall be acceptable in form and substance to the Town;
      - Such letter of credit shall not expire or lapse without 30 days prior notice to the Town , and
      - Should circumstances warrant, the Town may draw the full amount under said letter of credit and the proceeds may be retained by the Town as the financial guarantee .

6. Upon completion of the proposed and required improvements, the applicant may be required to submit to the Commission:
   a. An as-built, A-2 survey of the improvements;
   b. Certification of accurate monument location by a land surveyor registered in the State of Connecticut;
   c. Easements (if required) in a form satisfactory to the Commission; and
   d. Proof of fulfillment of any other requirements or conditions.

7. At the written request of the applicant, the Commission or Board may authorize release of all or the balance of any financial guarantee provided that:
   a. the Town Engineer and/or Administrator of Land Use And Building Services has submitted a letter stating that all required improvements have been satisfactorily completed and that all conditions and requirements of the Commission's approval have been satisfied; and
   b. the applicant's engineer or surveyor has certified to the Commission, through submission of a set of detailed "as built" plans on mylar, that all improvements and other work are in accordance with approved site plans; and
   c. the Town Engineer and/or Zoning Enforcement Officer shall, not later than sixty-five days after receiving such request:
      - Release or authorize the release of any such financial guarantee or portion thereof or
      - Provide the person posting such financial guarantee with a written explanation as to the additional improvements that must be completed before such financial guarantee or portion thereof may be released.

8. To promote public health and safety and to safeguard the Town in regard to the future maintenance of said improvement, the Commission or Board may retain a financial guarantee for maintenance in the amount of ten percent (10%) of the total required financial guarantee for a period of one (1) year following completion of all proposed and required improvements.

9. If all work associated with a Site Plan Application approved by the Commission is not completed within the prescribed amount of time, the Site Plan approval shall expire and become null and void. If any work subject to a financial guarantee has not been satisfactorily completed, the Town may use the proceeds from any financial guarantee to ensure public health and safety, complete any unfinished work, and to safeguard the Town in regard to the future maintenance of said improvement.

N. Town Clerk - Map Filing Requirements

Any map or plan filed with the Town Clerk shall conform to the provisions of CGS Section 7-31 and the Regulations of Connecticut State Agencies Sections §11-8-19 to §11-8-26 (Filing Requirements for Maps).

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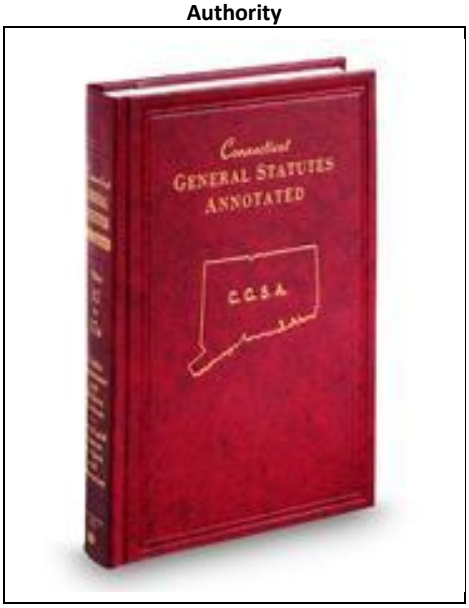
SECTION 9 REGULATORY FRAMEWORK

QUICK LINKS

9.1. Authority And Purposes
9.2. Zoning Districts
9.3. Application Of Regulations
9.4. Conformity
9.5. Enforcement
9.6. Validity
9.7. Effective Dates

Authority



Enforcement

9.1. Authority And Purposes

A. Authority

The Planning and Zoning Commission of the Town of Watertown, Connecticut, ("Commission") has adopted these Regulations in accordance with the authority- granted by Chapter 124 of the General Statutes of the State of Connecticut (Section 8-1 *et seq.*), as amended.

B. Statutory Purposes

The Commission adopts these Regulations for the statutory purposes provided in Chapter 124 of the Connecticut General Statutes (CGS Section 8-1 *et seq*.).

C. Additional Purposes

1. To guide the future growth and development of the Town in accordance with the adopted Plan of Conservation and Development, as may be amended.

2. To protect and conserve the overall characteristics of the community, the environment, and to encourage the orderly development of the Town.

3. To bring about the gradual conformity of the uses of land and buildings throughout the Town with the adopted Plan of Conservation and Development and to minimize conflicts among the uses of land and buildings.

4. To promote the most beneficial relationship of streets and traffic circulation throughout the Town to the arrangement of land uses, having particular regard for minimizing congestion in the streets and the promotion of safe and convenient vehicular and pedestrian access.

5. To ensure that future development in the Town shall be commensurate with the availability and present and future capacity of public facilities and services, thereby ensuring adequate availability of transportation, water, sewerage, schools, parks, recreation, open space, and other public requirements.

6. To prevent the pollution of watercourses and wetlands, safeguard the water table and public surface and ground drinking water supply, avoid hazardous conditions and damage resulting from storm water runoff and flooding, encourage the appropriate use and sound management of natural resources throughout the Town, have proper provision for soil erosion and sedimentation control, and conserve the Town's natural beauty and topography.

9.2. Zoning Districts

A. Establishment of Districts

To accomplish the purposes of these Regulations, the Town of Watertown is divided into Zoning Districts as identified in these Regulations.

B. Zoning Map

1. The Zoning Map is hereby declared to be a part of these Regulations.

2. The boundaries of the Districts are as shown on the official Zoning Map adopted by the Commission, as revised, including any supplemental maps.

3. Boundaries indicated as following streets, highways, railroad lines, alleys, streams, rivers, or other watercourses shall be construed to follow the center line of such features.

4. Boundaries indicated as following shorelines shall be construed to follow such shorelines and, in the event of change in the shoreline, shall be construed to move with the actual shoreline.

5. Boundaries indicated as approximately following lot lines shall be construed to follow such lot lines as shown on the Town Assessor's maps or survey data prepared to A-2 survey standards.

6. Boundaries indicated as parallel to or extensions of features indicated in paragraphs 3 through 5 above shall be so construed.

7. Distances not specifically indicated on the Zoning Map shall be determined by the scale of the map.

8. In cases of further uncertainty as to the location of boundaries of Zoning Districts, the Commission shall determine the location of the boundary.

C. Lots in More than One Zoning District

1. Where a lot of record existing as of the date of adoption or amendment of these Regulations lies in more than one Zoning District, a use permitted in one District may be extended on the same lot into the other District, provided that:
   a. Such use shall not extend more than 25 feet into the other District, or
   b. Occupy more than 25% of the area of that portion of the lot in the other District.

2. Any extension of a use from one District to another District shall require a Special Permit from the Commission.

9.3. Application Of Regulations

A. Basic Application

1. **Minimum Requirements** - In their interpretation and application, the provisions of these Regulations shall be held to be the minimum requirements adopted for the promotion of the public health, safety, and welfare.

2. **Conformity Required** - Except as may otherwise be provided within these Regulations, no land, building, or structure or part thereof shall be constructed, reconstructed, erected, extended, enlarged, moved, arranged, altered, or used; or the use changed to one requiring more parking; or the dimensions of lots, yards, or courts changed, except in conformity with the requirements of these Regulations for the Zoning District in which such land, building, structure, or use is located.

3. **Prohibited If Not Clearly Permitted** - Any use not permitted under these Regulations by right, by Site Plan approval, or by Special Permit approval in a Zoning District shall be prohibited within such District.

4. **In Event Of Conflict** - These Regulations are not intended to repeal, abrogate, annul, or in any way impair or interfere with any existing provisions of law or ordinance, or any rules, regulations, or permits previously adopted or issued or which shall be adopted or issued pursuant to law, relating to the use of lots, buildings, or structures; nor are these Regulations intended to interfere with, abrogate, or annul any easements, covenants, or other agreement between parties, provided, however, that where these Regulations impose a greater restriction upon the use or height of buildings or other structures or require larger yards, courts, or other open spaces than are imposed or required by existing provisions of law or ordinance or by such rules, regulations, permits, easements, covenants, or agreements, the provisions of these Regulations shall control.

5. **In Case Of Uncertainty** –
   a. Where the permissibility of a proposed use is uncertain, the ZEO shall make the determination as to whether the proposed use is permitted in that District by right, requires a Special Permit and/or Site Plan approval, or is prohibited.
   b. In cases of uncertainty as to the proper application of any of the requirements of these Regulations to a particular lot because of its peculiar or irregular shape, the Commission shall determine how such Regulations shall be applied.

6. **Character-Based Criteria** – Wherever these Regulations require that a use, building, or development be "on harmony with", "compatible with", or "conform to the character of" a district or neighborhood – including without limitation Sections 4.4, 4.5, 5.4, 5.6, 5.25, and 7.5 – such provisions express design objectives only. Consistent with CGS Section 8-2(d)(10), no application shall be denied on the basis of a district's character unless that character is expressed in these Regulations through clear and explicit physical standards for site work and structures, and any such denial shall rest on an identified failure to meet such a physical standard.

B. Application Of Lot Area / Density / Frontage / Shape Regulations

Unless an exception is provided in Section 7.1, lot area, density, lot frontage, and lot shape requirements shall comply with the following standards.

1. **Lot Area / Density-** Each lot shall have at least the minimum area specified for the District for the use or activity.

> **Minimum Area / Maximum Density** – Calculation of minimum area or maximum density requirements shall be subject to the following:
>
> 1) Land subject to easements for drainage facilities and underground public utilities may be included, but no street or highway, easement of vehicular access, private right-of-way for vehicles, or easement for above ground public utility transmission lines may be included.
>
> 2) In any Residential District not serviced by municipal water and sewer service, no more than 15% of the area consisting of watercourses and/or wetland shall be included in the minimum lot area requirements.
>
> 3) In an Industrial or Commercial District or for land in a Residential District serviced by municipal water and sewer service, no more than 25% of the area consisting of watercourses and/or wetland shall be included in the minimum lot area requirements.
>
> 4) Land in two or more Business or Industrial Zoning Districts and land in two or more Residential Districts served by municipal water and sewer may be used to satisfy a minimum lot area requirement provided that the requirement of the District requiring the largest lot area is met, but no land in a Residential District shall be used to satisfy a lot area requirement in any non-residential District.

2. **Lot Frontage** –
   a. No Zoning Permit precedent to a issuance of a Building Permit shall be issued unless the lot upon which such building is to be built shall have the frontage required by these Regulations on a street or is legally non-conforming in accordance with Section 7.2.

3. **Lot Shape** -
   a. Each lot shall be of such shape that a square with the minimum dimensions specified for the District shall fit on the lot and in Residential Districts some proportion of such square shall lie on or within less than the required building setback distance from a street line.

C. Application Of Yard / Setback Regulations

Unless an exception is provided in Section 7.1, yard and setback requirements shall comply with the following standards.

1. **Yards / Setbacks** -
   a. Buildings and other structures shall meet the minimum setback distances from street lines, rear property lines, and other property lines as specified for the respective District except as otherwise provided in these Regulations.

b. In Business and Industrial districts, buildings and other structures shall meet the minimum setback distances from Residential District boundary lines as specified for the respective District except as may otherwise be provided in these Regulations.
c. On a corner lot, the required front yard setback shall be provided along each lot frontage and all other yard setbacks shall be considered side yard setbacks except that any such setback abutting a rear yard of another residentially zoned property shall be considered a rear yard setback.
d. Unless otherwise provided, no part of any yard or other open space required around a building or other structure shall be included as part of the yard or other open space required for any other building or structure.
e. In Business and Industrial Districts, that portion of a lot contiguous to a railroad line and served by a railroad siding or spur, shall not require a yard or open space.
f. A porch, whether enclosed or unenclosed, shall be considered a part of the building for the purpose of determining the size of yard (see Section 7.1.B for a front yard exception for an open porch).
g. A paved terrace shall not be considered a part of the building for the purpose of determining the size of yard, provided, however, that such terrace:
   1) Shall not be located within eight feet of any lot line,
   2) Shall be unroofed and without walls, parapets, or other forms of enclosure but may have an open guard railing not over three feet in height.

D. Application Of Coverage Regulations

Unless an exception is provided in Section 7.1, coverage shall comply with the following standards.

1. **Building Coverage** - The total building coverage of all buildings and other structures on any lot, excluding basements, shall not exceed the percentage of lot area as specified for the District.

2. **Impervious Coverage** - The total impervious surface coverage of all buildings and other structures on any lot shall not exceed the percentage of lot area as specified for the District, except as otherwise provided in these Regulations.

Lot Coverage –

1) A porch, whether enclosed or unenclosed, shall be considered a part of the building for the purpose of determining building coverage.

2) A paved terrace shall not be considered a part of the building for the purpose of determining the amount of building coverage, provided, however, that such terrace:
   - Shall not be located within eight feet of any lot line,
   - Shall be unroofed and without walls, parapets, or other forms of enclosure but may have an open guard railing not over three feet in height.

E. Application Of Height Regulations

Unless an exception is provided in Section 7.1, height shall comply with the following standards.

1. Height-

a. Every building and structure shall comply with the height limitations prescribed for the district.

F. Application Of Other Provisions

1. **Buildings And Lots** –
   a. Every building shall be located on a lot.
   b. There shall be not more than one principal building on a lot except as may otherwise be provided or approved by the Commission.

2. **Form Of Ownership** - The lot area, shape, setback, frontage, and coverage requirements shall not be construed to prohibit condominium or other forms of ownership of a building or buildings or portions of a building on a lot meeting the requirements specified in the District, provided such ownership is permitted by and meets all applicable requirements of these Regulations and, where applicable, a subdivision map has been approved and filed in the Watertown Town Clerk's office.

3. **Multiple Kitchens** - No Zoning Permit shall be issued for a dwelling containing two or more kitchen facilities, or for the addition of separate kitchen facilities to an existing dwelling, without a separate Zoning Permit for such kitchen facilities or an affidavit certifying that the dwelling is a single dwelling unit.

4. **Accessory Buildings, Structures, And Uses** - Accessory buildings, structures, and uses shall comply with the following.
   a. A Zoning Permit shall be required for accessory uses and buildings and other structures when permitted in specified Districts.
   b. An accessory use or structure customary with and incidental to a use requiring a Special Permit or Site Plan approval under these Regulations shall require Special Permit or Site Plan approval, respectively.
   c. Accessory uses and buildings and other structures, except for farm buildings, shall be located on the same lot as the principal building, structure, or use to which they are accessory.
   d. Accessory uses and buildings and other structures, except for farm buildings, shall not be located on a lot without the prior establishment of a permitted principal use, nor shall any new lot be created that has an accessory building, structure, or use without a principal use.
   e. Accessory uses and buildings and other structures, and uses in the rear yard of a corner lot shall not be located within the required yard of any adjacent street.

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G. Change Of Use

1. **When Zoning Permit Required** - Any change of use proposed for, or within, an existing structure, occupied or vacant, or for an existing lot shall require a Zoning Permit from the ZEO in accordance with Section 8.1 and may require Commission approval if the proposed change of use:
   a. Is a Special Permit use,
   b. Requires more parking and/or loading spaces under the provisions of Section 6.2 than the use it is intended to replace and such spaces are not available on the parcel (also see Section 6.2.D.5 for possible exception), or
   c. Involves expansion of an existing building or addition of a new structure, additional parking, or significant alteration of signage.

2. **When Commission Approval Required** - Any proposed change of use which is not approvable by the ZEO as provided above shall not be allowed unless:
   a. The Commission approves a Site Plan modification for the changes required, or
   b. The Commission approves a Special Permit for the use.
   c. parking and/or loading shall be provided to meet the requirements of Section 6.2 or as otherwise determined by the Commission.

3. The ZEO may refer an application for a change of use to the Commission for a determination of the need for a new Site Plan application.

9.4. Conformity

A. Basic Provisions

1. Except as may otherwise be provided, no land, building, or structure or part thereof shall be constructed, reconstructed, erected, extended, enlarged, moved, arranged, altered, or used; or the use changed to one requiring more parking; or the dimensions of lots, yards, or courts changed, except in conformity with the requirements of these Regulations for the Zoning District in which such land, building, structure, or use is located.

2. Any use or structure not specifically allowed or permitted under these Regulations by right, by Zoning Permit, by Site Plan approval, or by Special Permit approval in a particular Zoning District under these Regulations shall be deemed to be prohibited within such District.

3. Where the permissibility of a proposed use is uncertain, the ZEO shall make the determination as to whether the proposed use is permitted in that District by right, by Zoning Permit, by Site Plan approval, or by Special Permit approval, or is prohibited. The ZEO may confer with the Planning and Zoning Commission as part of making this determination.

4. No lot shall be so reduced, divided, or created that the area, width, or other dimensions of the lot or any of its required yards or required open spaces shall be less than prescribed by these Regulations.

B. Exceptions

1. Unless otherwise specifically provided in these Regulations, nothing in these Regulations shall require any change in the existing use of any land, building, or other structure, or part thereof, or in the area, location, bulk, or construction of any building or other structure for which a Certificate of Zoning Compliance shall have been lawfully issued even though such use, building, or structure does not conform to one or more provisions of these Regulations.

2. Nothing in these Regulations shall be deemed to require any change in the approved use of any land, building, or other structure, or the area, location, bulk, or construction of any building or other structure for which a Zoning Permit and any required Building Permit have been lawfully issued even though such approved use, building, or other structure does not conform to one or more provisions of these Regulations.

9.5. Enforcement

1. These Regulations shall be enforced by the Zoning Enforcement Officer ("ZEO") who is hereby empowered to cause any building, structure, place, or premises to be inspected and examined and to order in writing the remedying of any condition found to exist in violation of any provisions of these Regulations or, when the violation involves grading or filling of land or the removal of earth, to issue in writing a cease-and-desist order to be effective immediately.

2. Where a violation of any provision of these Regulations has been committed or exists, the penalties in accordance with the provisions of these Regulations, Section 8-12 of the Connecticut General Statutes, Town Ordinances, and/or any other remedy permitted under Connecticut law shall be applicable to:
   a. The owner or agent of the building or premises,
   b. The lessee or tenant of an entire building or an entire premises or the owner, agent, lessee, or tenant of any part of a building or premises,
   c. The agent, architect, builder, contractor, and/or
   d. Any other person who commits, takes part, or assists in any such violation or who maintains any building or premises in which any such violation exists.

3. Any person, firm, or corporation who shall violate any provisions of these Regulations shall be subject to penalties in accordance with the Connecticut General Statutes pertaining to zoning or in accordance with any applicable Town Ordinance.

4. The proper authorities of the Town of Watertown may institute any appropriate action or proceeding to enforce the provision of these Regulations, or to prevent, restrain, enjoin, correct, or abate any violation of these Regulations, as may be authorized by law.

9.6. Validity

A. Provision of Regulation Adjudged to be Invalid

If any provision of these Regulations is adjudged by a court of competent jurisdiction to be invalid, the effect of such decision shall be limited to the provision expressly stated in the decision to be invalid, and all other provisions of these Regulations shall continue to be valid and fully effective.

B. Provision Adjudged to be Invalid as Applies to Particular Building or Structure or Lot

If any provision of these Regulations are adjudged by a court of competent jurisdiction to be invalid as such provision applies to a particular building, other structure, or lot, the effect of such decision shall be limited to the particular building, other structure, or lot, and the general application of such provision to other buildings, structures, or lots shall not be affected.

9.7. Effective Dates

1. Zoning Regulations within the Watertown Fire District were originally adopted and became effective on September 15, 1947.

2. Zoning Regulations for other areas in Watertown outside the Watertown Fire District were adopted and became effective on May 1, 1955.

3. As of July 1, 2007, the provisions of the Zoning Regulations for the Watertown Fire District were repealed and incorporated into the Zoning Regulations.

4. A comprehensive reorganization of the Regulations occurred was adopted on December 4, 2024 and became effective on December 30, 2024 at 12:01 AM.

5. Revision dates may be noted within specific Sections.

SECTION 10 WORDS AND TERMS

QUICK LINKS

10.1. Overall Framework
10.2. Basic Rules
10.3 Common Terms
10.4 Specific Terms

10.1. Overall Framework

1. In the construction, interpretation, application, use and enforcement of these Regulations, the rules, terms, and definitions contained in this Section shall be observed and applied, except where the context clearly indicates otherwise.

2. The meaning of words or terms not defined in this Section shall be determined by the Staff and/or Commission after consulting one or more of the following:
   a. The Connecticut General Statutes.
   b. The Illustrated Book of Development Definitions (Rutgers University, Center for Urban Policy Research (Piscataway, NJ).
   c. The State Building Code.
   d. Black's Law Dictionary.
   e. A comprehensive general dictionary.

10.2. Basic Rules

In the construction, interpretation, application, and enforcement of these Regulations and when not inconsistent with the context, the following rules shall apply:

1. The word "shall" is mandatory and not discretionary. The word "may" is permissive.

2. Words used in the singular include the plural, and the plural the singular.

3. Words used in the present tense include the future tense.

4. Words which are specifically masculine or feminine shall be interchangeable and shall be interpreted to include other gender and non-gender identities .

5. In case of any difference of meaning or implication between the text of these Regulations and any caption, illustration, or illustrative table, the text shall control.

6. All distances shall be measured horizontally unless otherwise indicated.

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10.3. Common Terms

In the construction, interpretation, application, use and enforcement of these Regulations, commonly used terms shall be interpreted as follows:

1. The words “parcel”, “lot”, “site”, “piece”, and “property” have the same meaning.
2. The word “premises” shall include land and buildings thereon.
3. The words “zone”, “zoning district”, and “district” have the same meaning.
4. The phrase “used for” includes the phrases “arranged for”, “designed for”, “intended for”, “maintained for” and “occupied for”, and vice versa unless the natural construction of the sentence indicates otherwise.
5. The word “person” shall include any individual, firm, partnership, corporation, association, organization, or other legal entity.
6. The phrase “these Regulations” refers to the entire Zoning Regulations of the Town of Watertown as may, from time to time, be amended.
7. The word “Section” refers to all paragraphs starting with the same sequence of numbers and/or letters of these Regulations, unless otherwise specified.
8. The word “person” includes any individual, firm, partnership, corporation, association, organization, or other legal entity.
9. The word “building” shall include the word “structure” and vice versa, as well as any part of a building or other structure.
10. The word “built” includes the words “erected”, “constructed”, “reconstructed”, “altered”, “enlarged”, or “occupied.”.
11. The “Town” means the Town of Watertown, Connecticut.
12. The “State” means the State of Connecticut.
13. The “Commission” means the Planning and Zoning Commission of the Town of Watertown, unless otherwise specified.
14. Any agency, commission, board, or department is that of the Town of Watertown, unless otherwise specified.
15. The phrase “Zoning Map” means the latest officially adopted Zoning Map of the Town of Watertown.
16. The word “original” means the conditions existing at the effective date of these Regulations or applicable amendments to these Regulations.

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10.4. Specific Terms

Some definitions related to specific sections of the Regulations may be located within those Sections including, for example, but not limited to:

- **Section 4.1 - Aquifer Protection Overlay Zone**
- **Section 5.12 - Adult Uses**
- **Section 6.4 - Lighting**
- **Section 6.5 - Stormwater Management**
- **Section 7.3 - Cannabis**

ACCESSORY – *See "Principal and Accessory" within this Section 10.4.*

ACCESSORY BUILDING – *See "Principal and Accessory" within this Section 10.4.*

ACCESSORY STRUCTURE, MINOR – *See "Principal and Accessory" within this Section 10.4.*

ACCESSORY STRUCTURE, OVERSIZED – *See "Principal and Accessory" within this Section 10.4.*

ACCESSORY TRAILER OR VEHICLE – A trailer, recreational vehicle, boat, mobile home, or unregistered vehicle.

ADULT USE RELATED TERMS – *See Section 5.12 of these Regulations.*

ADULT DAY CARE CENTER – A facility, registered with the Connecticut Association of Adult Day Services, which offers or provides a program of supplementary care for seven (7) or more adult persons outside their own home on a regular basis.

ADULT DAY CARE HOME - A facility, registered with the Connecticut Association of Adult Day Services, which offers or provides a program of supplementary care to not more than six (6) adult persons outside their own home on a regular basis.

AFFORDABLE HOUSING – Dwelling units deed-restricted to be sold or rented at, or below, prices which will preserve the units as affordable housing, as defined in CGS Section 8-39a.

AGE RESTRICTED HOUSING DEVELOPMENT – A planned residential housing development with at least 80% of the dwelling units deed-restricted to be occupied by at least one person of the age 55 years or older ("the age-qualified person").

ALTERATION – As applied to a building or structure:
(1) a change or rearrangement in the structural parts;
(2) an enlargement or reduction, whether horizontally or vertically; or
(3) the moving from one location or position to another.

ALLOWABLE PROJECTION – The specified extent of architectural projections such as roof eaves, pilasters, columns, belt courses, window sills, cornices, or similar building architectural features into any required setback area.

ANTENNA – A device used to collect, transmit, and/or receive electro-magnetic transmissions or radio signals. Examples include panels, microwave dishes, and single pole devices.

APOZ – Aquifer Protection Overlay Zone.

Aquifer Related Terms

See Section 4.1 of these Regulations

ARCHITECT – A person registered and licensed or otherwise authorized to do business in the State of Connecticut as an architect.

ATM – Automated teller machine.

AVERAGE FINISHED GRADE – *See definition of "Grade, Average Finished" within this Section 10.4.*

BANK – For the purposes of providing required financial guarantee, a financial institution licensed by the State of Connecticut to do business as a bank.

BASE GROUND FLOOR ELEVATION - The finished floor elevation of the ground story of a building, as shown on the approved plans. Where that elevation varies along a street-facing façade, the base ground floor elevation for that façade shall be the average of the highest and lowest finished floor elevations along it

BASEMENT – *See "Story-Related Terms" within this Section 10.4.*

BED AND BREAKFAST ACCOMMODATIONS – An establishment providing or offering transient lodging accommodations to the general public within a dwelling.

BIKEWAY – A path for non-motorized bicycles.

BUFFER, BUFFER AREA, OR BUFFER STRIP – A strip of land free of any building, structure or use other than natural woody growth, landscaping, fencing, or screening designed to shield or block noise, lights, or other annoyances.

Building And Structure

BUILDING – A structure having a roof supported by columns or walls and intended for the shelter, housing, or enclosure of any persons, animals, or chattel. *Also see definition of "Structure" below.*

BUILDING, PRINCIPAL – *See "Principal and Accessory".*

BUILDING, ACCESSORY – *See "Principal and Accessory".*

BUILDING, NON-CONFORMING- *See "Non-Conforming Related Terms" within this Section 10.4.*

STRUCTURE - Anything constructed or erected, the use of which required (1) location on, in or under the ground or water or, (2) attachment to something having location on the ground or water, including but not limited to, buildings, swimming pools, tennis courts, towers, paddle or platform tennis courts, docks, balconies, open entries, porches, decks, handicap ramps, signs, permanent awnings, a gas or liquid storage tank that is principally above ground (except residential propane tanks adjacent to the side or rear of the building), ground-mounted antennas, ground-mounted solar panels and satellite dishes, and fences or walls more than six feet in height, other than retaining walls. *Also see definition of "Building" above.*

STRUCTURE, ACCESSORY *See definition of "Principal" and "Accessory" within this Section 10.4.*

STRUCTURE, MINOR ACCESSORY - *See definition of "Principal" and "Accessory" within this Section 10.4.*

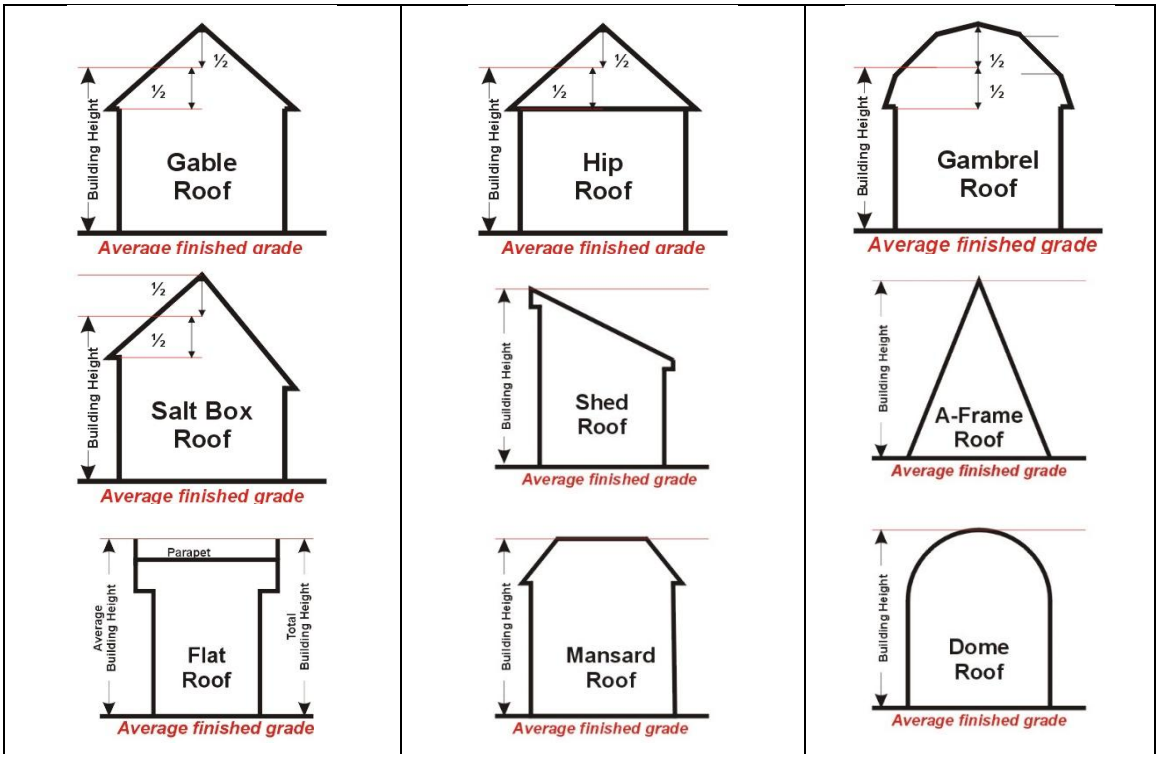
STRUCTURE, OVERSIZED ACCESSORY - *See definition of "Principal" and "Accessory" within this Section 10.4.*

STRUCTURE, TEMPORARY - A structure without any foundation or footings and which is removed when the designated time period, activity, or use for which the temporary structure was erected has ceased.

BUILDING COVERAGE –*See "Coverage-Related Terms" within this Section 10.4.*

BUILDING HEIGHT – The vertical distance from the average finished grade to:

- The highest point, including the top of any parapet, for a flat roof, a mansard roof, a dome roof, a shed roof, or an A-frame roof; or
- The mean level between the eaves and the highest point of the roof for a gable, hip, gambrel, or salt box roof.



BUILDING LINE – The inner edge of any required front, rear, or side setback line.

CANTILEVER – Any part of a structure projecting horizontally for more than three feet from the structure and anchored at one end only.

CELLAR – *See "Story-Related Terms" within this Section 10.4.*

CGS - The General Statutes of the State of Connecticut ("CGS") as they may be amended from time-to-time.

CHANGE OF USE – Any proposed use which substantially differs from the existing use of a building, structure, or lot by having different zoning requirements or is otherwise categorized differently in the Zoning Regulations.

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Child Care Related Terms

NOTE *- The following terms do not apply to:*

- *day care services administered by public and private school systems,*
- *public and private recreation operations,*
- *informal arrangements among neighbors or relatives in their homes, or*
- *drop-in supplementary child care operations where parents are on the premises for education or recreation purposes and the child receives such care infrequently.*

FAMILY CHILD CARE HOME - A private family home licensed by the Office of Early Childhood to provide care in accordance with CGS Section 19a-77 et seq for the number of children authorized by CGS Section 19a-77.

GROUP CHILD CARE HOME - A facility licensed by the Office of Early Childhood to provide care in accordance with CGS Section 19a-77 et seq:

- in a private family home to not less than seven (7) nor more than twelve (12) children outside their own homes on a regular basis.
- That meets the definition of a family child care home except that it operates in a facility other than a private family home.

CHILD CARE CENTER - A facility licensed by the Office of Early Childhood to provide care in accordance with CGS Section 19a-77 et seq to more than twelve (12) children outside their own home on a regular basis.

CLEANING SERVICE BUSINESS - A business which renders the service of general cleaning of premises such as shops, offices and residential places including household goods such as carpets, sofas and curtains for a fee.

CLEAN FILL – Materials as defined in Section 22a-209-1 of the Regulations of Connecticut State Agencies ("RCSA"), but excluding asphalt paving fragments and materials containing asbestos. Clean Fill includes (1) natural soil; (2) rock, brick, ceramics, and concrete, which are virtually inert and pose neither a pollution threat to ground or surface waters nor a fire hazard; and/or (3) polluted soil of the type defined in Section (45) of Section (a) of Section 22a-133k-1 of the RCSA, which polluted soil has been treated to reduce the concentration of pollutants to a level which does not exceed the applicable pollutant mobility criteria (typically groundwater and the environment) and the direct exposure criteria (typically human contact). These criterions are as established in RCSA Section 22a-133k-1 through 22a-133 k-3, which reuse, is in accordance with RCSA Section (3) of Section (h) of Section 22a-133k-2, as amended.

CLUB – An association of persons which is the owner, lessee, or occupant of an establishment operated solely for a recreational, social, fraternal, religious, political, or athletic purpose, whose activities are confined to the members and guests excluding commercial use and use by the general public, and includes the establishment so operated, but does not include clubs which are permitted in Business and Industrial Districts. .

CLUBHOUSE – A building, structure, or use operated by a non-profit recreational, fraternal, political, benevolent, or athletic organization on a not-for-profit basis for its members or guests accompanying them.

COMMERCIAL – Interchange of goods or commodities, including the offering and/or sale of personal and professional services.

COMMERCIAL GREENHOUSE/NURSERY – *See "Greenhouse/Nursery, Commercial" within this Section 10.4.*

COMMERCIAL USE – Activity carried out for pecuniary gain.

COMMISSION – The Planning and Zoning Commission ("PZC") of the Town of Watertown, unless otherwise specified.

COMMUNITY EVENT – Event sponsored by the Town of Watertown, non-profit organizations, schools, and churches.

COMMUNITY FACILITY – A building or structure occupied by a public or non-profit private organization or group for recreational, social, or civic purposes, and containing no dwelling units, sleeping accommodations, or public merchandising facilities.

CONGREGATE HOUSING – A form of housing consisting of independent living assisted by on-site congregate meals, housekeeping, and personal services.

CONVALESCENT HOME; CONVALARIUM – An establishment licensed by the State which furnishes in single or multiple facilities food, shelter, and laundry to two or more persons unrelated to the proprietor and in addition provides nursing care under medical supervision and direction to carry out non-surgical treatment and dietary procedures.

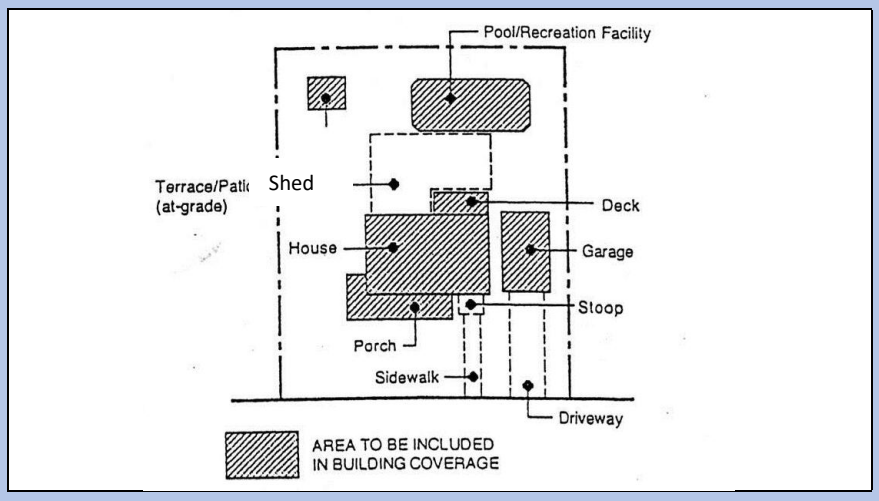
COTTAGE CLUSTER - A grouping of at least four (4) detached housing units, or live work units, per acre that are located around a common open area.

COTTAGE FOOD OPERATION — As provided in CGS Section 21a-62a et seq, the production of cottage food products when licensed by the Department of Consumer Protection.

Coverage Related Terms

BUILDING COVERAGE - The percentage of the total area of the lot covered by the ground floor area of all buildings and structures thereon, both principal and accessory, measured by the exterior dimensions of such building, including cantilevered areas.

IMPERVIOUS SURFACE COVERAGE - The percentage of ground coverage by the ground floor area of all buildings and structures, specified building appurtenances, and the pavement on a lot.



CURB CUT - The opening along the curb line of a street where vehicles may enter or leave the roadway.

CUSTOMARY – *See "Principal and Accessory" within this Section 10.4*.

DECIBEL - A unit of measurement of intensity of sounds (the sound pressure level).

Deck / Porch / Patio / Terrace-Related Terms

DECK – A raised outdoor platform supported by joists with no roof and having a height of more than eight inches above ground level.

PATIO – An outdoor area surfaced with concrete, brick, slate, or similar material placed directly on the ground.

PORCH – An outdoor area attached to a building or structure typically with a raised platform and with a fixed roof or another platform above (includes a roofed exterior landing).

CLOSED PORCH – A porch with screened-in or glassed-in openings.

OPEN PORCH – A porch that is open to the air without walled in, screened-in, or glassed-in openings.

TERRACE –A level, landscaped, and/or surfaced area located on the ground with no structural supports other than subsurface base material and retaining walls. A terrace or patio located at grade or ground level shall not be deemed a structure.

DEPOSIT – For the purpose of these Regulations with respect to the movement of earth material, shall include, but shall not be limited to, fill, grade, dump, place, discharge, or emit.

DEVELOPMENT – Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations, or storage of equipment or materials.

DISTURBED AREA – An area where the groundcover is disturbed, having the land subject to accelerated erosion.

DOG TRAINING CENTER --A dog training facility is a specialized place designed for the education, behavior modification, and skill development of dogs. It typically offers structured training programs such as board and train, classes, seminars, workshops etc. led by professional dog trainers to teach dog obedience, socialization, specialized tasks (such as service work, protection, agility, or scent detection), and address behavioral issues.

DRAINAGE – The controlled removal of surface water or groundwater from land by drains, grading, or other means which include runoff controls to minimize erosion and sedimentation during and after construction or development, to maximize groundwater recharge, and to prevent or alleviate flooding.

DRIVE-THROUGH– A facility where service is provided from a window, mechanical device, or other means to a customer in a motor vehicle.

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Dwelling Related Terms

DWELLING – A building designed or used as living quarters for one or more families. The term shall not be deemed to include automobile courts, motels, hotels, rooming houses, boarding houses, camping trailers, mobile home trailers, tourist homes, or tents. The term shall include a manufactured home as defined in this section, built in accordance with the federal Manufactured Home Construction and Safety Standards, and such a manufactured home, and any lot or park containing such a home, shall not be subject to conditions or requirements that substanitally differ from those applicable to single-family or multifamily dwellings, lots, or developments of the same District, as provided in CGS Section 8-2(d)(3), as amended.

DWELLING UNIT – A room or group of rooms located within a dwelling and forming a single habitable unit with physical separation from any other dwelling unit within the dwelling and with facilities that are used, arranged, or intended to be occupied for living, sleeping, cooking, and eating independent from any other dwelling unit in the dwelling.

DWELLING UNIT, ACCESSORY – A second dwelling unit on the same parcel of land as the principal dwelling unit.

DWELLING, DETACHED – A dwelling surrounded on all sides by yards and which does not have any roof, wall, or floor in common with any other dwelling unit.

DWELLING, ATTACHED – A building containing two or more dwelling units attached to each other by continuous vertical party walls which extend from basement or cellar to roof.

DWELLING, SINGLE-FAMILY – A dwelling containing one dwelling unit only.

DWELLING, TWO-FAMILY – A dwelling containing two dwelling units.

DWELLING, THREE-FAMILY – A dwelling containing three dwelling units.

DWELLING, MULTI-FAMILY – A building containing four or more dwelling units, but excluding dwellings with accessory dwelling units.

EARTH – Any material of which the ground is composed, including but not limited to soil, loam, sand, gravel, rock, stone, and clay.

EARTHWORK – Excavation, removal, filling, regrading, and/or physical or mechanical relocation of any kind of soil or earth matter, including topsoil, sand, gravel, clay, rock or similar material, or combinations thereof from a parcel of land or to or within a parcel of land, including processing, compaction, blasting, and stockpiling of earth material.

ELECTRIC VEHICLE - A motor vehicle containing a battery powered electric motor as a means of propulsion.

ELECTRIC VEHICLE CHARGING STATION - A parking space with the necessary apparatus (such as pylons, stanchions, conductors, connectors, attachment plugs, and all other necessary fittings and devices) for transferring electrical energy to an electric vehicle.

ENGINEER – A person registered and licensed or otherwise authorized to do business in the State of Connecticut as professional engineer.

EROSION – The detachment and movement of soil or rock fragments or the wearing away of the land surface by water, wind, ice, or gravity.

EXCAVATION – The digging out, extraction, re-grading, or removal of earth, whether exposed or covered by water, so as to alter its contour.

FAMILY – Any number of persons living and cooking together as a single housekeeping unit.

FAMILY CHILD CARE HOME – *See "Child Care Related Terms"*

Farm Related Terms

FARM – A tract of land used for commercial purposes as defined in Connecticut General Statutes 1-1(q) to produce agricultural, aquaculture, horticultural, floricultural, vegetable, tree or fruit products, and also including the raising, caring for, and training of horses and other livestock, but excluding the slaughtering of animals not raised on the lot.

The term farm includes farm buildings and accessory farm buildings and structures and uses that are incidental to the normal farm operations.

A farm shall consist of a parcel or parcels of land totaling at least 5 acres used principally for farming. The various parcels of land operated by a single farm may be held in separate and distinct ownership.

FARMING – Agricultural activities, nursery, or truck gardening, and raising, keeping, or sale of livestock or fowl, but excluding commercial piggeries and the raising of animals for laboratory use or for their fur (this does not prohibit the raising of livestock, such as sheep or alpaca, for the sheering of wool).

The term farming includes farm buildings and accessory farm building and structures and uses that are customary and incidental to the normal farm operation.

FARM BUILDING OR STRUCTURE – A building or other structure used for purposes associated with farming.

FARM EQUIPMENT – Equipment regularly used for farm activity such as tilling the soil, harvesting crops, and raising livestock or fowl.

FARM STAND, ROADSIDE – A temporary structure used for the sale of agricultural products grown or produced on the same premises.

FARM STORE PERMANENT - A structure or part thereof associated with and used by a Farm for year-round display and sale of raw and/or processed agricultural and horticultural products.

FARM WINERY / BREWERY - A facility which:

- Is accessory to a farm which grows one or more of the primary ingredients used in the wine or beer produced on the premises,
- Has a manufacturer permit from the Department of Consumer Protection for production of the wine or beer produced on the premises,
- Is operated in accordance with State laws (see CGS Section 30-16).

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FENCE – A structure designed of any material or combination of materials erected to enclose, separate, screen, or buffer areas of land.

NOTE – A fence six feet (6') or more in height is considered a structure and must obtain a building permit and meet yard setbacks. A fence less than six feet (6') in height may be located within yard setbacks.

FINANCIAL GUARANTEE – A financial assurance in favor of the Town in a form and amount acceptable to the Town to guarantee the completion of specific improvements or other purposes.

FINANCIAL GUARANTEE, EROSION AND SEDIMENTATION CONTROL– Financial assurance in favor of the Town provided by a developer to secure the installation and maintenance of all erosion and sedimentation control measures shown on the Erosion and Sedimentation Control Plan.

FINANCIAL GUARANTEE, MAINTENANCE– Financial assurance in favor of the Town provided by a developer to secure the maintenance of required public improvements for one year.

FINANCIAL GUARANTEE, PERFORMANCE– Financial assurance in favor of the Town provided by a developer to secure completion of public or other improvements required to be subject to a financial guarantee pursuant to a Site Plan or Special Permit approval.

FINISHED GRADE – *See definition of "Grade, Average Finished" within this Section 10.4.*

FILLING – The process of depositing clean fill, sand, gravel, and/or clay.

Flood Related Terms

See definitions in Section 4.2 of these Regulations.

FLOOR – The top surface of an enclosed area in a structure (including basement) i.e., top of slab in concrete slab construction or top of flooring in wood frame or steel frame construction. The term "floor" does not include the floor of a garage used for parking vehicles.

Floor Area Related Terms

FLOOR AREA, GROSS ("GFA") – The sum of the gross horizontal areas of every floor of a building, measured from the exterior face of outside walls or, where appropriate, from the centerline of a common wall separating two buildings, and including hallways, stairs, closets, columns, the thickness of walls and other features, but not including any permitted architectural extensions or any attached or built-in garages, porches, or terraces and not including basements used for storage or utility services for any retail or office use.

FLOOR AREA, NET ("NFA") – For the purposes of these Regulations, eighty-five percent (85%) of Gross Floor Area.

FLOOR AREA RATIO – The gross floor area of all buildings on a lot divided by the lot area.

FOOD TRUCK - A motor vehicle, readily moveable, that is:

- Designed and/or used for the preparation and sale of food and/or beverage,
- Licensed for such use by the Torrington Area Health District, and
- Licensed by the Town in accordance with Chapter 20 (Peddlers and Solicitors) of the Code of Ordinances.

FREQUENCY – The number of oscillations per second of a vibration.

FRONTAGE – *See "Lot-Related Terms" within this Section 10.4.*

FUNERAL HOME - A building used for the preparation of the deceased for burial and the display of the deceased and ceremonies before burial or cremation. Also "undertaker establishment."

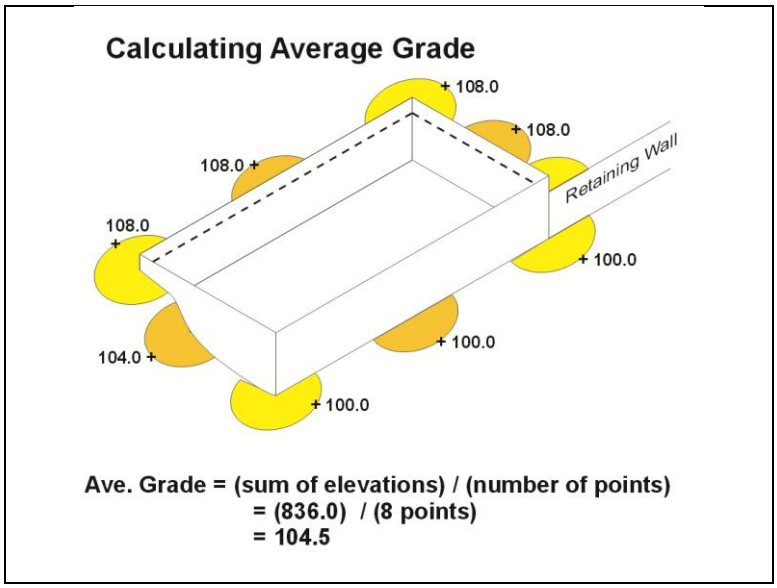
GARAGE, PRIVATE - An accessory building or portion of a principal building used for the parking and storage of motor vehicles and not available to the general public.

GENERAL OFFICE – *See "Office-Related Terms" within this Section 10.4.*

GENERAL STATUTES - The General Statutes of the State of Connecticut ("CGS") as they may be amended from time-to-time.

GLARE - Light emitting from a luminaire with the intensity great enough to reduce a viewer's ability to see, and in extreme cases, causing momentary blindness.

GRADE, AVERAGE FINISHED - A reference plane representing the average of finished ground level around the building measured at the four outermost corners of the building and the intervening midpoints. Where such finished grade is established by filling, the average finished grade shall not be taken to be more than five feet above the average pre-existing elevation of the same points.



GRADE, FINISHED - The final elevation of the ground surface after the completion of grading, and compared to a given reference datum.

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GRADING - Any excavating, grubbing, filling (including hydraulic fill), or stockpiling of earth or any combination thereof, which results in a change of contour or elevation.

GREENHOUSE - A building constructed mainly of glass or other transparent material, and used as a conservatory for the growing and protection of flowers or plants, and for the propagation and culture thereof.

GROSS FLOOR AREA - *See "Floor Area Related Terms" within this Section 10.4.*

GROUNDWATER - *See definitions in Section 4.1 of these Regulations*

GROUNDWATER RECHARGE AREA - *See definitions in Section 4.1 of these Regulations*

GROUP HOME / COMMUNITY CARE FACILITY - A residential facility which provides food, shelter, personal guidance, and, to the extent necessary, continuing health-related services to mentally impaired or autistic persons, in accordance with applicable provisions of the Connecticut General Statutes. *Also see definition of "Senior Home" within this Section 10.4.*

GROUP CHILD CARE HOME - *See "Child Care Related Terms" within this Section 10.4*

HANDICAPPED PERSONS - As applied to the congregate housing regulations herein, persons who have been determined to have physical impairments which:

- are expected to be of long, continued, and indefinite duration;
- substantially impede the ability to live independently; and
- are of such a nature that the ability to live independently could be improved by more suitable housing conditions.

HAZARDOUS WASTE - Waste material which may pose a present or potential hazard to human health or the environment when improperly stored, transported, or disposed of or otherwise managed, including, without exception, hazardous waste identified and listed in accordance with Section 3001 of the Resource Conservation and Recovery Act of 1976.

HEALTH AND FITNESS FACILITIES - Facilities for the physical conditioning of the human body, including gymnasiums, tennis or racquet clubs, gymnastics, dance, exercise, weight lifting, martial arts, and similar activities.

HOME OCCUPATION - A commercial enterprise or professional home office operated as a business by the resident of a dwelling unit (See provisions in Section 5.2).

HOTEL - *See "Lodging-Related Terms" within this Section 10.4*.

HUD – The US Department of Housing and Urban Development.

INCIDENTAL - *See "Principal and Accessory" within this Section 10.4*.

INDOOR SELF STORAGE – *See "Storage-Related Terms" within this Section 10.4.*

IMPERVIOUS SURFACE COVERAGE –*See "Coverage-Related Terms" within this Section 10.4.*

ITE –Institute of Transportation Engineers.

JUNK – Any scrap, waste, reclaimable materials, or debris, whether or not such materials are stored, for sale, or in the process of being dismantled, destroyed, processed, salvaged, stored, baled, disposed of, or for other use or disposition.

JUNK YARD - The term "junk yard" shall be construed to include any "junk yard", "motor vehicle junk business" and "motor vehicle junk yard" as defined in the Connecticut General Statutes. The term shall also include any place of storage or deposit, whether in connection with a business or not, for two or more unregistered, used motor vehicles which are either no longer intended or in condition for legal use on the public highways and shall also include any place of storage or deposit of used parts of motor vehicles and old metals, iron, glass, paper, cordite, and other waste materials which on any lot have an aggregate bulk equal to or exceeding the volume of one automobile.

Kennel Related Terms

KENNEL, COMMERCIAL – A kennel as defined in CGS Section 22-327, licensed by the State of Connecticut Department of Agriculture and maintained as a business for boarding or grooming dogs or cats, including a veterinary hospital boarding or grooming dogs and/or cats for nonmedical purposes.

KENNEL, HOBBY - One pack or collection of animals, not to exceed six adult animals, kept under one ownership on a single premise bred for pleasure, show, sport, or sale.

KENNEL, NON-HOBBY – The keeping of more than six (6) adult animals on a single premises.

KITCHEN - A room, place, or space within a structure equipped for the preparation and/or cooking of food, containing at a minimum a sink, stove, and refrigerator.

LAND ENGINEER – A person registered and licensed or otherwise authorized to do business in the State of Connecticut as a professional engineer.

LAND SURVEYOR – A person registered and licensed or otherwise authorized to do business in the State of Connecticut as a surveyor.

LANDSCAPE ARCHITECT – A person registered and licensed or otherwise authorized to do business in the State of Connecticut as a landscape architect.

Lighting Related Terms

See definitions in Section 6.4 of these Regulations.

LIVESTOCK - Animals kept, raised, or offered for sale on a farm.

LOADING SPACE - An off-street area or berth for the loading or unloading of commercial vehicles.

Lodging Related Terms

HOTEL - An establishment offering transient lodging accommodations to the general public with guest rooms accessed from an enclosed hallway. May include related additional services such as a restaurant, rooms for public assembly including the serving of food, and recreational facilities.

MOTEL - An establishment offering transient lodging accommodations to the general public with guest rooms accessed directly from the exterior. May include related additional services such as a restaurant, rooms for public assembly including the serving of food, and recreational facilities.

Lot Related Terms

LOT - Except as may be provided for in Section 7.1, a parcel of land which is either:

- owned separately from any contiguous parcel as evidenced by fee conveyance recorded in the land records of the Town or
- is a building lot shown on a subdivision map, approved by the Commission and filed in the Office of the Town Clerk.

LOT OF RECORD - A parcel of land recorded by deed on the land records of the Town of Watertown prior to the effective date of adoption of these Regulations or any subsequent amendments.

LOT, NON-CONFORMING- *See "Non-Conforming Related Terms" within this Section 10.4.*

LOT AREA - The total area within the lot lines of a lot, excluding any street rights-of-way.

LOT FRONTAGE - The length measured along that side of a lot abutting on a public street. Lots fronting on the turnaround at the end of a cul-de-sac street may measure lot frontage along the front setback line.

(continued on next page)

Lot Related Terms *(continued from previous page)*

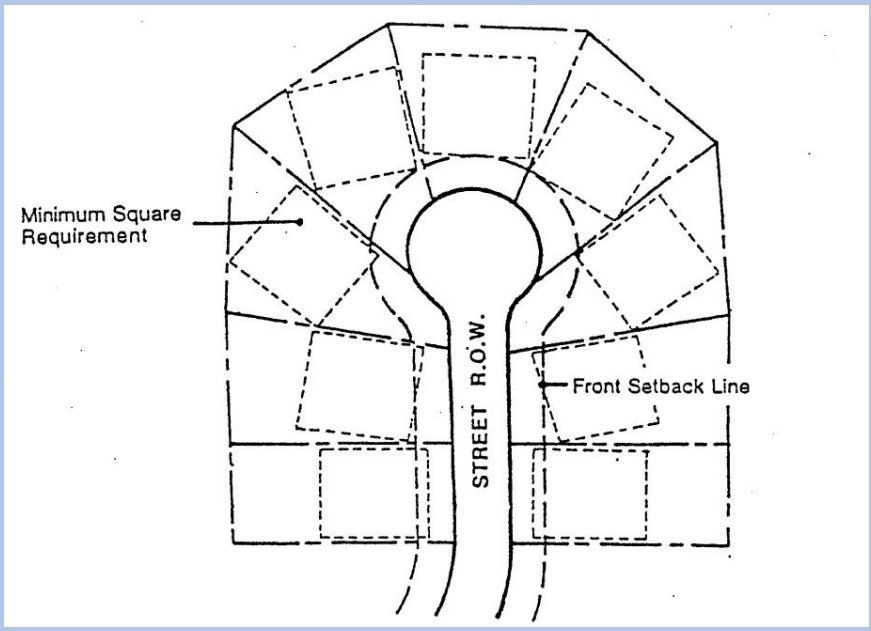
LOT LINE - A line bounding the area of the lot.

LOT LINE, FRONT - The line separating the lot from the street right-of- way. *Also see "street line" in "Street- Related Terms" within this Section 10.4.*

LOT LINE, REAR - The lot line which is generally opposite the front lot line; if the rear lot line is less than ten feet in length, or if the lot comes to a point at the rear, the "rear lot line" shall be deemed to be a line parallel to the front lot line, not less than ten feet, long, and lying wholly within the lot and farthest from the front lot line.

LOT LINE, SIDE - Any property line extending from the front lot line to the rear lot line.

SQUARE, MINIMUM - A square with the minimum dimension specified for the District which will fit within the lot and, in Residence Districts, some portion of such square shall touch or cross the front setback line.



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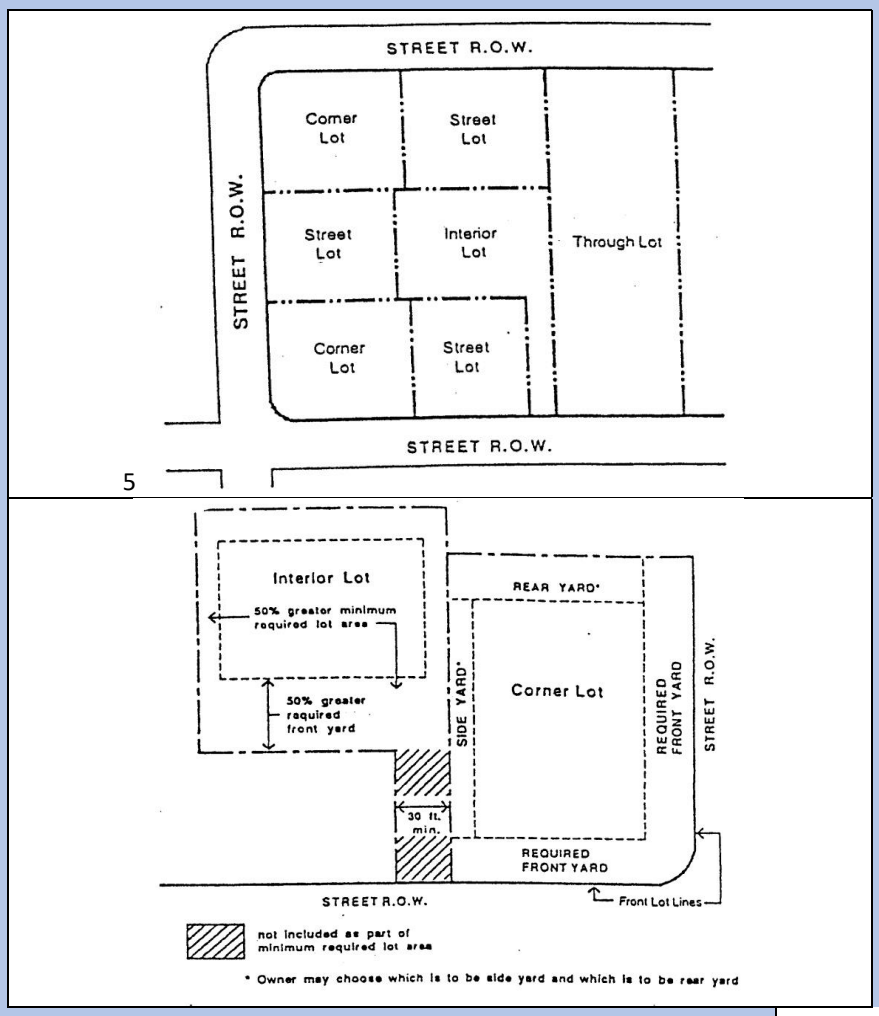
Lot Related Terms *(continued from previous page)*

LOT, CORNER - A lot which abuts two or more streets at their intersection, or which abuts two parts of the same street forming an interior angle of less than 135 degrees.

LOT, INTERIOR - A lot located to the rear of another lot and served by an accessway owned by the owner of the interior lot.

LOT, STREET - A lot abutting only one street.

LOT, THROUGH - A lot which abuts two parallel streets, or which abuts on two streets which do not intersect at the boundaries of the lot.



MANUFACTURED HOME – A factory-built, single-family structure that meets the Federal Manufactured Home Construction and Safety Standards Act (42. USC Sec. 5401) and commonly known as the HUD Code.

MANUFACTURED HOME PARK OR SUBDIVISION - A parcel or contiguous parcels of land divided into two or more manufactured home lots for rent or sale.

MANUFACTURING - The making, processing, fabrication, or assembling of goods or wares by manual labor or by machinery but excluding, for the purposes of these Regulations, earth materials activities.

MEDICAL OFFICE – *See "Office-Related Terms" within this Section 10.4*.

MIDDLE HOUSING – Duplexes, triplexes, quadplexes, cottage clusters, and townhouses.

MINI WAREHOUSE– *See "Storage-Related Terms" within this Section 10.4.*

MINIMUM SQUARE - *See "Lot-Related Terms" within this Section 10.4*

MINOR ACCESSORY STRUCTURE – *See "Building and Structure" within this Section 10.4*

MIXED-USE DEVELOPMENT – A development containing both residential and nonresidential uses in any single building.

MIXED-USE MIDDLE HOUSING DEVELOPMENT - A development containing both residential and non-residential uses in any single building.

MOBILE HOME – A residential dwelling that was fabricated in an off-site manufacturing facility, designed to be a permanent residence, and built prior to enactment of the Federal Manufactured Home Construction and Safety Standards Act (42. USC Sec. 5401).

MOTEL - *See "Lodging-Related Terms" within this Section 10.4*.

MOTOR VEHICLE SERVICE STATION - Any area of land, including structures thereon, or any building or part thereof that is used for the sale of gasoline, diesel fuel, or propane for a motor vehicle or the provision of electric vehicle charging equipment for a motor vehicle and which may include the sale of motor vehicle accessories and facilities for lubricating, washing, or otherwise servicing motor vehicles, but not including body work, major repair, or painting thereof by mechanical means.

MOTOR VEHICLE REPAIR FACILITY - Any area of land, including structures thereon, or any building or part thereof that is used for automobile, truck, trailer, and farm equipment servicing, repairing, painting and upholstering, or washing.

MULTI-USE BUILDING - A building containing two or more different uses, or two or more different commercial occupants.

NET FLOOR AREA - *See "Floor Area Related Terms" within this Section 10.4.*

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Non-Conforming Related Terms

NON-CONFORMING STRUCTURE OR BUILDING - A structure or building of which the size, dimensions, or location was lawful at the time of adoption or amendment of these Regulations, but which by reason of such adoption or amendment fails to conform to the present location, bulk, or dimensional requirements of the Zoning District in which it is located.

NON-CONFORMING USE - A use or activity which was lawful at the time of adoption or amendment of these Regulations, and which was not discontinued with intent to abandon, but which by reason of such adoption or amendment fails to conform to the present uses permitted in the Zoning District in which it is located.

NON-CONFORMING LOT - A lot of record of which the size and dimensions was lawful at the time of creation, but which by revision or adoption or amendment of these Regulations fails to conform to the present size or dimensional requirements of the Zoning District in which it is located.

NON-PROFIT - A use, business, agency, or entity recognized by the Internal Revenue Service as not being operated for profit.

NURSERY - Land devoted to the commercial raising and sale of trees, plants, flowers, or shrubs and which may include greenhouses.

Office Related Terms

OFFICE, GENERAL - A room or group of rooms used for conducting the affairs of a business, profession, service, industry, or government but excluding those associated with the medical profession.

OFFICE, MEDICAL - A room, group of rooms, or facilities used for conducting the affairs of those associated with the medical profession.

PROFESSIONAL OFFICE - The office of professions including, without limitations, doctors, lawyers, dentists, architects, engineers, artists, musicians, writers, designers, teachers, clergymen, and others who, through training or experience, are qualified to perform services of a professional, as distinguished from a business nature.

OUTDOOR STORAGE – *See "Storage-Related Terms" within this Section 10.4.*

OVERSIZED ACCESSORY STRUCTURE - *See "Building And Structure" within this Section 10.4*

PARKING AREA - Any public or private land area designed and used for parking motor vehicles including parking lots, garages, private driveways, and legally designated areas of public streets.

PARKING LOT - An off-street, ground level area used for the temporary parking of more than four motor vehicles and available to the general public, whether for free or for compensation, or to accommodate employees, clients, customers, or residents, but not including private driveways.

PARKING NEEDS ASSESMENT - A study of the parking needs of a proposed development, prepared and stamped by a Connecticut-licensed professional engineer and paid for by the applicant, containing (a) an inventory of existing available parking spaces in the vicinity of the development, (b) available public transit options serving the development, (c) the projected parking needs of the development, and (d) any other relevant local traffic, parking, or safety studies.

PARKING SPACE, OFF-STREET - The area designed or intended for the temporary parking of a motor vehicle, not including aisles and driveways giving access thereto, located in other than a public street or other public way and having a permanent means of access to a public street without requiring passage through another parking space.

PARTICULATE MATTER - Any finely divided liquid or solid matter, including smoke, capable of being air or gas borne.

PATIO – See *"Deck / Patio / Porch And Related Terms" in this Section 10...*

PAVEMENT - Any type of all-weather surfacing including crushed stone, traprock, macadam, asphalt, and concrete.

PERFECT SIX - A three-story residential building with a central entrance containing two dwelling units per story.

PERSON - Any individual, firm, partnership, corporation, association, organization, or other legal entity.

PERSONAL SERVICE – Services involving the care of a person and/or his/her/their personal goods or apparel (such as nail salon, hair salon, massage therapist, tailor, shoe repair, tattoo parlors, travel agency, funeral services, etc.).

PET - An animal that is domesticated and ordinarily kept in the home for personal use or enjoyment.

PLACE OF WORSHIP - A building which is intended for the conduct of religious services and which is maintained and controlled by a religious body organized to sustain public worship and recognized as such for non-profit status by the Internal Revenue Service.

PORCH– See *"Deck / Patio / Porch And Related Terms" in this Section 10...*

PREMISES - A lot, parcel, or tract of land together with the buildings and structures thereon.

START
1. RESIDENTIAL DISTRICTS
2. BUSINESS DISTRICTS
3. INDUSTRIAL DISTRICTS
4. SPECIAL DISTRICTS
5. USE-RELATED-STANDARDS
6. BASIC STANDARDS
7. SPECIAL STANDARDS
8. PROCEDURES
9. REGULATORY FRAMEWORK
10. WORDS AND TERMS

Principal And Accessory

PRINCIPAL – That which is most important or more important. The main or primary condition as distinguished from an incidental and subordinate condition.

ACCESSORY - That which is customarily incidental and subordinate to the principal condition.

PRINCIPAL BUILDING - The primary or predominant building on a parcel of land and/or a building in which is conducted the principal use of the parcel. Any building containing over 750 SF of GFA shall be considered a principal building for the purposes of determining the applicable area and dimensional standards. *See "Building". See also "Accessory Building"*

ACCESSORY BUILDING - Any building that is subordinate to, and whose use is subordinate and customarily incidental and supplementary to, the use of the principal building and/or use on the same lot. An accessory building attached to the principal building by any covered porch, breezeway or any other roofed structure is considered part of the principal building.

ACCESSORY STRUCTURE – An unattached structure that is subordinate to, and whose use is subordinate and customarily incidental and supplementary to, the use of the principal building and/or use on the same parcel. An accessory structure attached to the principal building by any covered porch, breezeway or other roofed structure in any way is considered part of the principal building. *See "Structure"*

STRUCTURE, MINOR ACCESSORY - An accessory structure that is less than 576 square feet in area, or is a swimming pool of less than 800 square feet in swimming area.

STRUCTURE, OVERSIZED ACCESSORY - An accessory structure that is 576 square feet or greater in area or is a swimming pool of 800 square feet or greater in swimming area.

Principal Building (Dwelling)

Accessory Building (Detached Garage)

(continued on next page)

(continued from previous page)

PRINCIPAL USE – The primary or predominant use or activity of a building, structure, or parcel of land. *See "Use". See also "Accessory Use".*

ACCESSORY USE – A use of a building, structure, or parcel of land that is customarily incidental to, and subordinate and supplementary to, a principal use or activity on the same parcel as the principal use. *See "Use". See "Principal Use", "Customary", "Subordinate", and "Incidental."*

Principal Use (Residential)

Accessory Use (Vehicle Parking)

CUSTOMARY –Something commonly practiced, used, or observed such that it is considered conventional and typical rather than unusual.

INCIDENTAL - Something likely to ensue as a minor consequence of another activity or something that happens as a minor part or result of something else.

SUBORDINATE – Something inferior, smaller, fewer, and of less importance or impact or something placed in or occupying a lower class, rank, or position.

PRIVATE - Confined to or intended only for the person or persons immediately concerned.

PRIVATE SCHOOL - Any building or group of buildings the use of which meets the State's requirements for primary, secondary, or higher education and which is not operated by the Town or State.

PROFESSIONAL ENGINEER – A person registered and licensed or otherwise authorized to do business in the State of Connecticut as professional engineer.

PROFESSIONAL OFFICE – *See "Office-Related Terms" within this Section 10.4.*

PUBLIC IMPROVEMENTS - Any improvements required to modify existing and/or construct proposed streets, sidewalks, and storm water drainage structures; lighting, landscaping, and proposed lot grading in connection with such features; public utilities when constructed within a proposed Town right-of-way including water supply and sanitary sewerage facilities; or other development or installations shown on an approved Site Plan which are proposed for acceptance by the Town of Watertown.

PUBLIC AND SEMI-PUBLIC USE - A non-profit or quasi-public use or institution such as a place of worship, library, post office, hospital, school, or facility of the Town, State, or Federal Government.

PUBLIC SCHOOL - Any building or group of buildings the use of which meets the State's requirements for primary, secondary, or higher education and which is operated by the Town or State.

PUBLIC UTILITY FACILITIES - Buildings, uses, and facilities owned and operated by a provider of public utility services including water supply reservoirs, wells, towers, treatment facilities, pump stations, and electric transmission substations or telephone equipment buildings with no outside service yard or outdoor storage of supplies.

PZC – The Planning and Zoning Commission ("PZC") of the Town of Watertown, unless otherwise specified.

RCSA– The Regulations of Connecticut State Agencies ("RCSA"), as amended.

RECORD SITE PLAN - A final site development plan based on an A-2 survey of the subject property, containing all information required by these Regulations and showing all development and improvements as approved by the Commission.

RECREATION FACILITY - A place designed and equipped for the conduct of sports, leisure time activities, and other customary and usual recreational activities but excluding commercial activities involving outdoor use of firearms.

RECREATIONAL VEHICLE - A vehicle built on a single chassis, containing 400 SF or less measured at the longest horizontal projections, which can be towed, hauled, or driven and primarily designed to be used as temporary living accommodations for travel, camping, and recreational purposes, including but not limited to campers, travel trailers, and motor homes but excluding mobile homes.

RESEARCH AND DEVELOPMENT LABORATORY - Any laboratory engaged exclusively in the pursuit of scientific research and development, including the research and development of manufactured, processed, or compounded products.

RESIDENCE - A dwelling unit or group of dwelling units.

Restaurant Related Terms

RESTAURANT, SIT-DOWN - An establishment or use whose principal business is the preparation and serving of food for consumption on the premises, primarily served at tables, booths, or similar sit- down accommodations within the restaurant building.

RESTAURANT, FAST FOOD - An establishment or use, excluding mobile or portable food concessions, whose principal business is the sale of pre-prepared or rapidly prepared foods, frozen desserts, or beverages to the customer in a ready-to-consume state, primarily served in paper, plastic, or other disposable containers, for consumption within the restaurant building, elsewhere on the premises, or for carry-out or for consumption via drive-through facilities or off the premises.

RETAIL - The selling of goods, wares, or merchandise directly to the ultimate consumer but excluding the sale of marijuana.

RIGHT-OF-WAY, STREET - The area of a public or private street, between the two opposing street lines of that street.

SEDIMENT - Solid material, either mineral or organic, that is in suspension, is transported, or has been moved from its site of origin by erosion or in a stream channel.

SELF-STORAGE FACILITY– *See "Storage-Related Terms" within this Section 10.4.*

SENIOR HOME - A residential facility which provides food, shelter, personal guidance, and, to the extent necessary, continuing health-related services to persons aged 62 and older, and/or persons with disabilities. *Also see "Group Home / Community Care Facility" within this Section 10.4.*

SEPTAGE - Sludge produced by domestic wastes that is pumped from septic tanks.

SETBACK – *See "Yard Versus Setback" within this Section 10.4.*

SIGN - Any structure or part thereof, or any device attached thereto or painted thereon, of any material or thing, illuminated or otherwise, which displays or includes any numeral, letter, emblem, device, trademark, or other representation used as an announcement, designation, direction, or display, to advertise or promote any person, firm, group, organization, commodity, service, event, profession, or enterprise, when said display is placed out-of-doors or within twelve inches of a window in view of the general public, but not including the following - the flag or insignia of any government or governmental agency; the flag of any civic, political, charitable, religious, patriotic, fraternal or similar organization which is hung on a flagpole or a mast; or any religious or other seasonal holiday decorations which do not contain commercial lettering, wording, designs, symbols, or other devices.

SMOKE - Any emission into the open air from any source, except emissions of an uncontaminated water vapor.

SOIL - Any unconsolidated mineral or organic material of whatever origin that is overlying bedrock, not including sediment.

SOIL EROSION AND SEDIMENTATION CONTROL PLAN - A plan that indicates necessary land treatment measures, including a schedule for installation, which effectively minimizes soil erosion and sedimentation.

SOIL SCIENTIST – A person registered and licensed or otherwise authorized to do business in the State of Connecticut as a soil scientist.

SOLID WASTE - Unwanted or discarded materials, including solids or contained liquid or gaseous materials.

SQUARE, MINIMUM - *See "Lot-Related Terms" within this Section 10.4*

STABLE - A place where horses are kept, ridden, boarded, bred, shown, trained, groomed, housed, or sold.

STATE - The State of Connecticut.

STOOP - Any raised building entrance platform with one or more steps leading up to it.

Storage Related Terms

INDOOR SELF STORAGE - Facilities primarily designed for commercial storage of residential household and similar items.

OUTDOOR STORAGE - The keeping, in an unenclosed area, of any goods, junk, material, merchandise, or vehicles in the same place for more than twenty-four hours.

SELF-STORAGE FACILITY - A building or group of buildings containing separate, individual, and private storage spaces of varying sizes available for lease or rent for varying periods of time, including outdoor storage.

WAREHOUSE - A structure containing more than 2,500 SF of floor area used for the storage of goods, materials, furniture, appliances, and other merchandise.

WAREHOUSE, MINI - A warehouse partitioned into a number of individual units or enclosures which are individually rented on a monthly or annual basis.

Story Related Terms

STORY - That portion of a building included between the surface of any floor and the surface of the floor next above it, or, if there is no floor above it, then the space between the floor and the ceiling next above it. An attic not used for human occupancy shall not be counted if its ceiling is more than four feet above the elevation from which the height of the building is measured. When the ceiling of a basement is four (4) feet or more above the average ground level within 10 feet of the building, the basement shall be considered a “story”.

STORY, ONE-HALF - A portion of a story directly above or below the story, as herein defined, in the same building and accessible by interior stairway or elevator from the said story, provided the floor area, as defined herein, of the said "half-story" does not exceed fifty percent (50%) of the floor area of the said story.

BASEMENT - A portion of a building located partly underground but having less than one-half of its clear floor-to-ceiling height below the average finished grade of the adjoining ground and with a floor-to-ceiling height of not less than seven feet.

CELLAR - A portion of a building located partly or wholly underground and having one-half or more of its clear floor-to-ceiling height below the average finished grade of the adjoining ground.

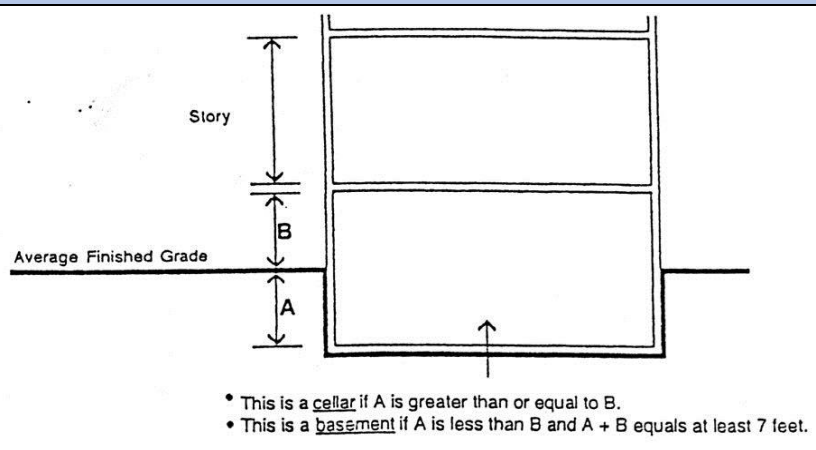


FIGURE A-1: BASEMENT, CELLAR AND STORY

START
1. RESIDENTIAL DISTRICTS
2. BUSINESS DISTRICTS
3. INDUSTRIAL DISTRICTS
4. SPECIAL DISTRICTS
5. USE-RELATED-STANDARDS
6. BASIC STANDARDS
7. SPECIAL STANDARDS
8. PROCEDURES
9. REGULATORY FRAMEWORK
10. WORDS AND TERMS

Street Related Terms

STREET - An existing State or Town highway or street improved and accepted in accordance with Town Ordinance, or a street shown upon a subdivision plan approved by the Commission and subject to a financial guarantee as required by these Regulations, and on file with the Town Clerk but not including private driveways or rights-of-way or a limited access State highway.

STREET LINE - A common line between a lot and a street right-of-way.

STREET or ROAD, MAJOR - A street or road so designated in the Town Plan of Conservation and Development.

STREET, PAPER - A paper street is any street appearing on a map which has been officially filed and recorded in the Watertown Town Clerk's Office and which street has not been physically improved or constructed. Such streets are deemed to be dedicated for the public use but not accepted by the Town of Watertown.

STREET, PRIVATE - Any street remaining in individual or association ownership and upon which the Town of Watertown performs no maintenance.

STREET, UNIMPROVED DIRT - An unimproved dirt road is any Town road for which the Town of Watertown performs minimal maintenance, such as grading, culvert replacement or the like, but is not considered an acceptable Town road, or a Town road for which the Town performs no maintenance, yet upon which a right-of-way still exists.

STREET WIDTH - The distance between the street lines.

STREET-FACING FAÇADE – Any exterior wall of a principal building that faces a street line and is generally parallel to it. On a corner lot, each wall facing a street line shall be a street-facing façade, and the standards of Section 5.28.E shall apply in full to each such façade.

STRUCTURE – *See "Building And Structure" within this Section 10.4*.

STRUCTURAL ALTERATION - Any change in or addition to, the supporting members of a structure or building such as bearing walls, columns, beams or girders, or other such work requiring a building permit under the State Building Code.

SUBORDINATE – *See "Principal and Accessory" within this Section 10.4*.

SUMMARY REVIEW – An administrative review and approval procedure conducted by the Zoning Enforcement Officer as provided in CGS Section 8-2r & 8-2s, as amended, and Section 8.1.E of these Regulations, in which an application shall be approved, without a public hearing and without discretionary review, upon a determination that the application (a) complies with the applicable specific, objective, and non-discretionary standards of these Regulations and (b) will not substantially impact public health or safety.

SURVEYOR – A person registered and licensed or otherwise authorized to do business in the State of Connecticut as a surveyor.

SURVEY, AS BUILT - Drawings conforming to A-2 survey standards prepared by a licensed professional engineer or a licensed land surveyor, as applicable, showing property improvements resulting from a development.

SURVEY, A2 - A survey prepared by a land surveyor licensed in the State of Connecticut and in accordance with the standards of Sections 20-300b-1 thru 20-300b-20 of the Regulations of Connecticut State Agencies "Minimum Standards for Surveys and Maps in the State of Connecticut" and endorsed by the Connecticut Association of Land Surveyors Inc, in the "Code of Recommended Standards for Surveys and Maps in the State of Connecticut", adopted on September 24, 1992, and effective January 1, 1993, as amended.

SWIMMING POOL - A solid framed structure, above or below ground, with a surface area of 150 square feet or more or a depth in excess of 2 feet that is designed or intended to hold water for swimming purposes.

TAG SALE - The public sale of personal household goods by the owner thereof in conjunction with the cleaning out or vacating of residential premises. It does not encompass the sale of any goods brought to the premises for the purposes of public sale. "tag sale" shall also include "garage sale", "barn sale", "yard sale", and other similar activities.

TEMPORARY USE - *See "Use, Temporary" within this Section 10.4.*

TERRACE– See *"Deck / Patio / Porch And Related Terms" in this Section 10...*

TOWER - A structure, whether freestanding or attached to a building or another structure, that supports equipment used to collect, transmit, and/or receive telecommunications or radio signals. Examples include monopoles and lattice construction steel structures.

TOWN - The Town of Watertown, Connecticut.

TOWN ENGINEER - The Town Engineer and/or Director of Public Works of the Town of Watertown, Connecticut or their duly authorized representative or agent.

TOWNHOUSE – A residential building constructed in a grouping of three (3) or more attached units, each of which shares at least one common wall with an adjacent unit and has exterior walls on at least two sides.

TRAILER - Any vehicle which is, has been, or may be mounted on wheels designed to be towed or propelled by another vehicle which is self-propelled, and may or may not be equipped with sleeping or cooking accommodations, or afford traveling accommodations, or for the transportation of goods, wares, or merchandise. *See "Recreational Vehicle" and "Mobile Home." Within this Section 10.4*

TRANSIT COMMUNITY MIDDLE HOUSING DEVELOPMENT – A residential building containing not less than two (2) dwelling units but not more than nine (9) such units, including, but not limited to, townhouses, duplexes, triplexes, perfect sixes and cottage clusters. For purposes of these Regulations, and notwithstanding the reference to a single residential building, a cottage cluster of not more than nine (9) dwelling units developed on a single lot as a unified development shall constitute one transit community middle housing development.

USE - The specific purpose for which land, water, or any structure is designed, arranged, intended, or occupied.

USE, ACCESSORY - A use which is customarily incidental and subordinate to the principal use on a lot and located on the same lot therewith. *See "Principal And Accessory" within this Section 10.4.*

USE, TEMPORARY - A use established for a fixed period of time with the intent to cease such use upon the expiration of the time period.

USE, NON-CONFORMING- *See "Non-Conforming Related Terms" within this Section 10.4*.

VEHICLE, COMMERCIAL - Any motor vehicle with commercial license plates or with lettering, markings, racks or other apparent accessories indicating it is intended for use other than personal and/or recreational transportation.

VETERINARY HOSPITAL - A building for the medical and/or surgical care of sick or injured animals.

WAREHOUSE – *See "Storage-Related Terms" within this Section 10.4.*

WAREHOUSE, MINI – *See "Storage-Related Terms" within this Section 10.4.*

WATERCOURSE - As defined in CGS Section 22a-38.

WATER TABLE - The interface between the saturated zone and the unsaturated zone.

WETLANDS - As defined in CGS Section 22a-38.

WHOLESALE - The selling of goods normally in large bulk or quantity, especially for resale distinguished from retail.

WIND TURBINE - A device for converting wind energy into mechanical, electrical or another form of energy having a rated capacity not greater than 10kW.

WIND TURBINE HEIGHT - The vertical distance from ground level to the tip of a wind turbine blade where the blade is at its highest point.

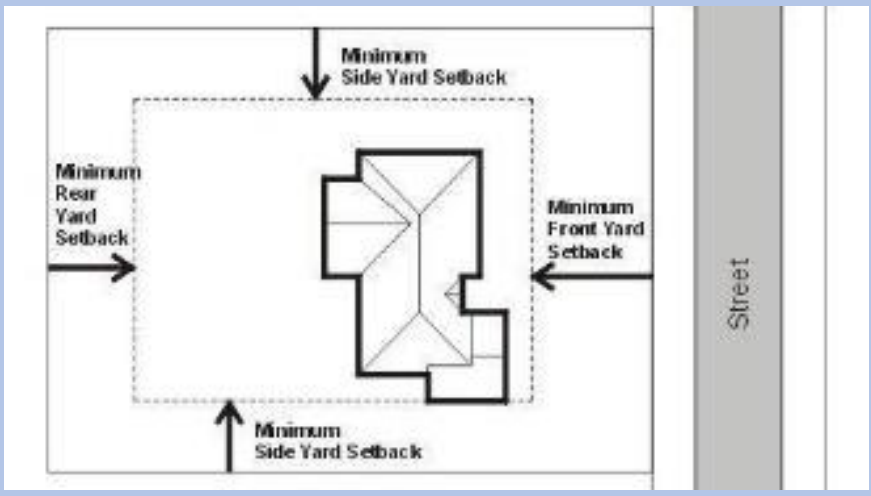
WORK - All physical improvements required by an approved Site Plan and/or Special Permit, including but not necessarily limited to sidewalks, street lights, stormwater drainage systems, wetlands, watercourses, soil erosion and sedimentation controls, landscaping, street trees, paving curb cuts in the public right-of-way for driveways and streets, monuments and pins, fire suppression holding tanks, fire hydrants, utilities for water and sanitary sewer services, all public and private improvements, and as-built drawings.

Yards versus Setbacks

SETBACK - A line parallel to a street line or a lot line at a distance established by the minimum yard setback requirements of these Regulations for the zoning district, behind which buildings and structures may be legally erected. *See "Lot Line"*

(see Appendix for listing of building features subject to setbacks)

Setbacks (defined from the property lines in)



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Yards versus Setbacks

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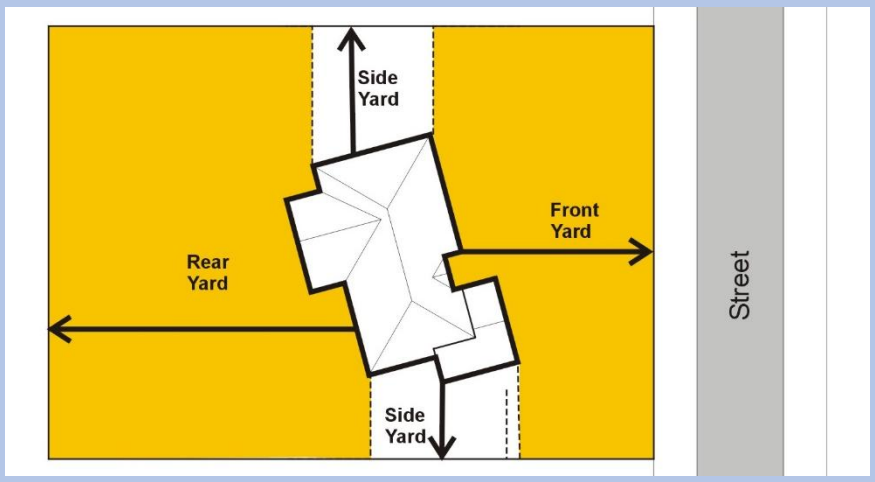
YARD – The area between the principal structure and a lot line.

FRONT YARD - The area on a lot lying between the front of the principal building and the front lot line (the street line), extending across the full width of the lot.

SIDE YARD - The area on a lot lying between the side lot line and the principal building which is not a front yard or a rear yard.

REAR YARD - The area on a lot lying between the rear of the principal building and the rear lot line, extending across the full width of the lot.

Yards (defined from the building out)



ZBA - The Zoning Board of Appeals of the Town of Watertown, Connecticut.

ZEO - The Administrator of Land Use and Building Services / Zoning Official of the Town of Watertown and any other appointed Zoning Enforcement Official(s).

APPENDICES

QUICK LINKS
Appendix A - Application Of Coverage / Setbacks
Appendix B – Flood Plain Regulations

Appendix A - Application Of Coverage / Setbacks

A. Building / Structure	Counts to Building Coverage	Counts to Impervious Coverage	Minimum Setbacks Apply*
1. Main Building(s)			
a. The surface area covered by all buildings on the lot except those specifically excluded in this table, as measured to the outside surface of the exterior walls. For a garrison colonial or similar cantilevered building, building coverage will be measured to the outermost wall(s)	Yes	Yes	Yes
b. The floor area of all floors of all buildings on the lot, as measured to the outside surface of the exterior walls, except those areas specified below	Included above	Included above	Yes
c. The floor area of a garage	Included above	Included above	Yes
2. Cellar / Basement			
a. The floor area of a cellar or basement	Included above	Included above	Yes
3. Attic Areas			
a. The floor area of an attic which is not used for human habitation	Included above	Included above	Yes
b. The floor area of an attic which is used for human habitation	Included above	Included above	Yes
4. Building Projections			
a. The following building projections provided no portion projects more than 24 inches from the wall of the building and at let 60% of the setback requirement is maintained: (1) Roof eaves / overhangs. (2) Chimneys. (3) Balconies. (4) Bow or bay windows. (5) Rain gutters and leaders. (6) Awnings. (7) Columns, brackets, and pilasters. (8) Other minor architectural features.	No	No	No
b. If projects more than 24 inches from the wall of the building	Yes except for the outer 24”	Yes	Yes

B.	Accessory Buildings / Structures	Counts to Building Coverage	Counts to Impervious Coverage	Minimum Setbacks Apply*
1.	**Accessory Buildings / Structures**			
a.	Accessory building (such as a tool shed or chicken coop)	Yes	Yes	Yes
b.	Dog houses, playscapes, tree houses, and other minor structures not requiring a building permit	No	No	No
c.	Small accessory or ornamental features such as a bird baths, well casings, etc.	No	No	No
d.	Any dish antenna mounted off the ground on a base or riser on the ground	No	No	Yes
2.	**Special Structures**			
a.	Above ground propane tanks up to 125 gallons	No	No	No
b.	Above ground propane tanks more than 125 gallons	No	No	Yes
c.	Emergency generators, exterior HVAC equipment, pool equipment	No	No	Yes
d.	Roof-mounted solar arrays	Included above	N/A	No
e.	Ground-mounted solar arrays	Yes	Yes	Yes
f.	Wind energy systems	No	No	See Sec. 5.16

	Counts to Building Coverage	Counts to Impervious Coverage	Minimum Setbacks Apply*
C. Exterior Features			
1. Drives / Walks:			
a. Driveways / Parking areas	No	Yes	See Section 6.19
b. Porte cocheres or covered driveways	Yes	Yes	Yes
c. Uncovered walkways	No	Yes	No except as above
d. Covered walkways and breezeways as measured to the outside surface of the exterior walls or columns	Yes	Yes	Yes
e. Parking areas 24" or more in height above the existing grade	No	Yes	Yes
1. Fences / Walls:			
a. Fences (6 feet or less in height)	No	No	No
b. Fences (more than 6 feet high)	No	No	Yes
c. Freestanding walls (4 feet or less in height)	No	No	No
d. Freestanding walls (more than 4 feet high)	No	No	Yes
2. Trellises / Pergolas:			
a. Trellis / pergola / arbor (24 square feet or less in area)	No	No	No
b. Trellis / pergola / arbor (more than 24 square feet in area)	No	No	Yes

	Counts to Building Coverage	Counts to Impervious Coverage	Minimum Setbacks Apply*
3. Balconies / Decks / Patios:			
a. Decks or open patios if there are no railings	No	Yes	No
b. Roofed patios	Yes	Yes	Yes
c. Terrace wall if wall is 4 feet or less in height, and set below a 1:1 incline from the property line	No	No	No
d. Terrace wall if wall is greater than 4 feet in height or set above a 1:1 incline from the property line	No	No	Yes
4. Porches / Gazebos:			
a. Open porch	Yes	Yes	Yes
b. Closed porch	Yes	Yes	Yes
c. Gazebos	Yes	Yes	Yes
5. Steps / Stoops / Entries:			
a. Unroofed exterior steps, stairs, and landings	No	No	No
b. Basement hatchway doors that are no greater than 3 feet above grade nor 6 feet in length	No	No	No
6. Recreation Facilities:			
a. Swimming pools	Yes	Yes	Yes
b. At grade tennis courts, basketball courts, sports courts, or similar recreation surfaces	No	Yes	Yes
c. Above grade recreation surfaces	Yes	Yes	Yes

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Appendix B – Flood Plain Regulations

These regulations are based on the National Flood Insurance Program (NFIP) / Connecticut Department Of Energy & Environmental Protection model regulation for Inland/Riverine Community (AE and A Zones only) / Level "D" Community (October 2018)

See Section 4.2 for guidance on how to integrate the numbering of these model regulations into the Watertown Zoning Regulations.

1. STATUTORY AUTHORIZATION AND PURPOSE

1.1. STATUTORY AUTHORIZATION

The Legislature of the State of Connecticut has in Title 7, Chapter 98, Section 7-148(c)(7)(A) and in Title 8, Chapter 124, Section 8-2 of the General Statutes delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the Town of Watertown, Connecticut, does ordain as follows:

1.2. FINDING OF FACT

The flood hazard areas of the Town of Watertown are subject to periodic flood inundation which results in the loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.

These flood losses are caused by the cumulative effect of obstructions in the floodplains causing increases in flood heights and velocities, and by the occupancy in flood hazard areas by uses vulnerable to floods or hazards to other lands which are inadequately elevated, floodproofed, or otherwise unprotected from flood damage. Uncontrolled development and use of the floodplains can adversely affect the community.

The Town of Watertown has voluntarily participated in the National Flood Insurance Program (NFIP) since 1980. The NFIP is founded on a mutual agreement between the federal government and each participating community. Local, state and federal governments must share roles and responsibilities to meet the goals and objectives of the NFIP. The community's role is of paramount importance. Property owners are able to receive federally-subsidized flood insurance only if the community enacts and enforces the minimum floodplain regulations required for participation in the NFIP.

1.3. STATEMENT OF PURPOSE

It is the purpose of this regulation to regulate floodplain development, promote public health, safety, and general welfare, and minimize public and private losses due to flood conditions in specific areas by provisions designed to:

1.3.1 To protect human life and health, and prevent damage to property;

1.3.2 To minimize expenditure of public funds for costly flood control projects;

1.3.3 To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;

1.3.4 To minimize prolonged business interruptions and other economic disruptions;

1.3.5 To minimize damage to public facilities, infrastructure and utilities, such as water and gas mains, electric, telephone and sewer lines, and streets and bridges, located in the floodplain;

1.3.6 To help maintain a stable tax base by providing for the sound use and development of flood hazard areas in such a manner as to minimize flood damage and flood blight areas;

1.3.7 To insure that potential buyers are notified that property is in a flood hazard area;

1.3.8 To prevent increase in flood heights that could increase flood damage and result in conflicts between property owners;

1.3.9 To ensure that those who occupy the flood hazard areas assume responsibility for their actions; and

1.3.10 To discourage development in a floodplain if there is any practicable alternative to locate the activity, use or structure outside of the floodplain.

1.4. OBJECTIVES

In order to accomplish its purposes, this regulation includes objectives, methods and provisions that:

1.4.1 Restrict or prohibit uses which are dangerous to health, safety and property due to flood or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;

1.4.2 Require that uses vulnerable to floods, including facilities that serve such uses, be protected against flood damage at the time of initial construction;

1.4.3 Control the alteration of natural floodplains, stream channels, and natural protective barriers that are involved in the accommodation of flood waters;

1.4.4 Control filling, grading, dredging and other development which may increase erosion or flood damage; and

1.4.5 Prevent or regulate the construction of barriers or obstructions which will unnaturally divert flood waters or which may increase flood hazards to other lands.

2. DEFINITIONS

Unless specifically defined below, words and phrases used in this regulation shall have the same meaning as they have in common usage and to give this regulation its most reasonable application.

Area of Shallow Flooding *(for a community with AO or AH Zones **only**)* - A designated AO, AH, AR/AO, AR/AH, or VO zone on a community's Flood Insurance Rate Map (FIRM) with a one percent (1%) or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Base Flood – The flood having a one percent (1%) chance of being equaled or exceeded in any given year, also referred to as the one hundred (100) year flood, as published by the Federal Emergency Management Agency (FEMA) as part of a Flood Insurance Study (FIS) and depicted on a Flood Insurance Rate Map (FIRM).

Base Flood Elevation (BFE) – The elevation of the crest of the base flood or 100-year flood. The height in relation to mean sea level expected to be reached by the waters of the base flood at pertinent points in the floodplains of coastal and riverine areas.

Basement – Any area of the building having its floor subgrade (below ground level) on all sides.

Building – see definition for "Structure".

Cost – As related to substantial improvements, the cost of any reconstruction, rehabilitation, addition, alteration, repair or other improvement of a structure shall be established by a detailed written contractor's estimate. The estimate shall include, but not be limited to: the cost of materials (interior finishing elements, structural elements. utility and service equipment); sales tax on materials, building equipment and fixtures, including heating and air conditioning and utility meters; labor; built-in appliances; demolition and site preparation; repairs made to damaged parts of the building worked on at the same time; contractor's overhead; contractor's profit; and grand total, Items to be excluded include: cost of plans and specifications, survey costs, permit fees, outside improvements such as septic systems, water supply wells, landscaping, sidewalks, fences, yard lights, irrigation systems, and detached structures such as garages, sheds, and gazebos.

Development – Any man-made change to improved or unimproved real estate, including but not limited to the construction of buildings or structures; the construction of additions, alterations or substantial improvements to buildings or structures; the placement of buildings or structures; mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment; the storage, deposition, or extraction of materials; and the installation, repair or removal of public or private sewage disposal systems or water supply facilities.

Existing Manufactured Home Park or Subdivision – A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured home are to be affixed (including, as a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before November 5, 1980, the effective date of the floodplain management regulations adopted by the community.

Expansion to an Existing Manufactured Home Park or Subdivision – The preparation of additional sites by the construction of facilities for servicing the lots on which the manufacturing homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

Federal Emergency Management Agency (FEMA) - The federal agency that administers the National Flood Insurance Program (NFIP).

Finished Living Space – As related to fully enclosed areas below the base flood elevation (BFE), a space that is, but is not limited to, heated and/or cooled, contains finished floors, has sheetrock walls that may or may not be painted or wallpapered, and other amenities such as furniture, appliances, bathrooms, fireplaces and other items that are easily damaged by floodwaters and expensive to clean, repair or replace. Unfinished enclosed areas below the BFE should comply with FEMA Technical Bulletin 2 -Flood-Damage Resistant Materials Requirements.

Flood or **Flooding** – A general and temporary condition of partial or complete inundation of normally dry land areas from either the overflow of inland or tidal waters, or the unusual and rapid accumulation/runoff of surface waters from any source.

Flood Insurance Rate Map (FIRM) – The official map of a community on which the Federal Emergency Management Agency (FEMA) has delineated both the special flood hazard areas (100-year floodplain) and the insurance risk premium zones applicable to a community.

Flood Insurance Study (FIS) – The official study of a community in which the Federal Emergency Management Agency (FEMA) has conducted an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations.

Floodway – The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1.0) foot. For the purposes of these regulations, the term "Regulatory Floodway" is synonymous in meaning with the term "Floodway".

Functionally Dependent Use or Facility – A use or facility that cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities. The term does not include seafood processing facilities, long-term storage, manufacturing, sales or service facilities.

Highest Adjacent Grade (HAG) *(for community with AO/AH zones)* – The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

Historic Structure – Any structure that is: (a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historic significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; (c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or (d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either: (1) By an approved state program as determined by the Secretary of the Interior or (2) Directly by the Secretary of the Interior in states without approved programs.

Lowest Floor – The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area is not considered a building's lowest floor, provided that such an area meets the design requirements specified in Section 5.3.1.3 of this regulation**.**

Manufactured Home – A structure, transportable in one (1) or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term also includes park trailers, travel trailers, recreational vehicles and other similar vehicles or transportable structures placed on a site for one hundred and eighty (180) consecutive days or longer and intended to be improved property.

Manufactured Home Park or Subdivision – A parcel or contiguous parcels of land divided into two (2) or more manufactured home lots for rent or sale.

Market Value – As related to substantial improvement and substantial damage, the market value of the structure shall be determined by the property's tax assessment, minus land value; prior to the start of the initial repair or improvement, or in the case of damage, the value of the structure prior to the damage occurring.

Mean Sea Level (MSL) – The North American Vertical Datum (NAVD) of 1988 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map (FIRM) are referenced.

New Construction – Structures for which the "start of construction" commenced on or after November 5, 1980, the effective date of the floodplain management regulations, and includes any subsequent improvements to such structures.

New Manufactured Home Park or Subdivision – A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after November 5, 1980, the effective date of the floodplain management regulation adopted by the community.

Recreational Vehicle – A vehicle which is: (a) built on a single chassis; (b) four hundred (400) square feet or less when measured at the largest horizontal projection; (c) designed to be self-propelled or permanently towable by a light duty truck; and (d) designed primarily not for use as a permanent dwelling but as a temporary living quarters for recreational, camping, travel, or seasonal use.

Special Flood Hazard Area (SFHA) – The land in the floodplain within a community subject to a one percent (1%) or greater chance of flooding in any given year. SFHAs are determined utilizing the base flood elevations (BFE) provided on the flood profiles in the Flood Insurance Study (FIS) for a community. BFEs provided on Flood Insurance Rate Map (FIRM) are only approximate (rounded up or down) and should be verified with the BFEs published in the FIS for a specific location. SFHAs include, but are not necessarily limited to, the land shown as Zones A, A1-30, AE, AO, AH on a FIRM. The SFHA is also called the Area of Special Flood Hazard.

Start of Construction – For other than new construction or substantial improvements under the Coastal Barrier Resources Act (P.L. 97-348), includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, substantial improvement or other improvement was within one hundred and eighty (180) days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation, or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does in include excavation for a basement, footings, piers, or foundations or the erections of temporary forms; not does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Structure – A walled and roofed building which is principally above ground, including a manufactured home, a gas or liquid storage tank, or other man-made facilities or infrastructures.

Substantial Damage – Damage of any origin sustained by a structure, whereby the cost of restoring the structure to its pre-damaged condition would equal or exceed fifty percent (50%) of the market value of the structure before the damage occurred.

Substantial Improvement – Any combination of repairs, reconstruction, rehabilitation, alterations, additions or other improvements to a structure, taking place during a ten (10) year period, in which the cumulative cost equals or exceeds fifty percent (50%) of the market value of the structure before the "start of construction" of the improvement. This term includes structures that have incurred "substantial damage", regardless of the actual repair work performed. For purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either: (1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or (2) Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure".

Variance - A grant of relief by a community from the terms of the floodplain management regulation that allows construction in a manner otherwise prohibited and where specific enforcement would result in unnecessary hardship.

Violation – Failure of a structure or other development to be fully compliant with the community's floodplain regulations A structure or other development without required permits, lowest floor elevation documentation, flood-proofing certificates or required floodway encroachment calculations is presumed to be in violation until such time as that documentation is provided.

Water Surface Elevation – The height, in relation to the North American Vertical Datum (NAVD) of 1988 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

3. GENERAL PROVISIONS

3.1. AREAS TO WHICH THIS REGULATION APPLIES

This regulation shall apply to all Special Flood Hazard Areas (SFHA) within the Town of Watertown.

3.2. BASIS FOR ESTABLISHING THE SPECIAL FLOOD HAZARD AREAS (SFHA)

The Special Flood Hazard Areas (SFHA) identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study (FIS) for Litchfield County. dated November 5, 1980, accompanying Flood Insurance Rate Maps (FIRM), dated [date of most recent FIRM], and other supporting data applicable to the Town of Watertown, and any subsequent revisions thereto, are adopted by reference and declared to be a part of this regulation. Since mapping is legally adopted by reference into this regulation it must take precedence when more restrictive until such time as a map amendment or map revision is obtained from FEMA.

The SFHA includes any area shown on the FIRM as Zones A, AE, AO, and AH, including areas designated as a floodway on a FIRM. SFHAs are determined utilizing the base flood elevations (BFE) provided on the flood profiles in the Flood Insurance Study (FIS) for a community. BFEs provided on Flood Insurance Rate Map (FIRM) are only approximate (rounded up or down) and should be verified with the BFEs published in the FIS for a specific location. Also included are areas of potential, demonstrable or historical flooding, including any area contiguous with but outside the SFHA identified by FEMA, and where the land surface elevation is lower than the base flood elevation (BFE) as shown in the FIS, and the area is not protected from flooding by a natural or man-made feature. The FIRM and FIS are on file in the Land Use Office, Town Hall, Town of Watertown.

3.3. STRUCTURES ALREADY IN COMPLIANCE

A structure or development already in compliance with this regulation shall not be made non-compliant by any alteration, modification, repair, reconstruction or improvement and must also comply with other applicable local, state, and federal regulations. No structure or land shall hereafter be located, extended, converted, modified or structurally altered without full compliance with the terms of this regulation and other applicable regulations.

3.4. ABROGATION AND GREATER RESTRICTIONS

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

3.5. INTERPRETATION

In the interpretation and application of this regulation, all provisions shall be: 1) considered as minimum requirements; 2) liberally construed in favor of the governing body, and; 3) deemed neither to limit nor repeal any other powers granted under State statutes.

3.6. WARNING AND DISCLAIMER OF LIABILITY

The degree of flood protection required by this regulation is considered the minimum reasonable for regulatory purposes and is based on scientific and engineering consideration and research. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This regulation does not imply or guarantee that land outside the Special Flood Hazard Area or uses permitted in such areas will be free from flooding and flood damages. This regulation shall not create liability on the part of the Town of Watertown or by any officer or employee thereof for any flood damages that result from reliance on this regulation or any administrative decision lawfully made thereunder. The Town of Watertown, its officers and employees shall assume no liability for another person's reliance on any maps, data or information provided by the Town of Watertown.

3.7. SEVERABILITY

If any section, subsection, paragraph, sentence, clause, or phrase of this regulation should be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this regulation, which shall remain in full force and effect; and to this end the provisions of this regulation are hereby declared to be severable.

4. ADMINISTRATION

4.1. DESIGNATION OF THE LOCAL ADMINISTRATOR

The Administrator For Land Use And Building Services is hereby appointed to administer, implement, and enforce the provisions of this regulation.

4.2. CERTIFICATION

Where required under this regulation, a registered professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of this regulation. Such certification must be provided to the Administrator For Land Use And Building Services.

4.3. ESTABLISHMENT OF THE FLOOD MANAGEMENT SECTION OF THE ZONING PERMIT

The flood management section of the Zoning Permit must be completed in conformance with the provisions of this regulation prior to the commencement of any development activities. Permits issued under this regulation shall expire if actual construction of a permitted structure does not commence within one hundred and eighty (180) days of the permit approval date.

4.4. PERMIT APPLICATION PROCEDURES

A zoning] permit is hereby established for all construction and other development to be undertaken in Special Flood Hazard Areas in this community. Prior to any development activities, application for a zoning permit shall be made to the Administrator For Land Use And Building Services on forms provided and may include, but not be limited to, plans in duplicate drawn to scale showing, at a minimum, the property lines and location of the parcel; the nature, location, dimensions, and elevations of the area in question; limit and extent of the 100-year floodplain and/or floodway boundary and base flood elevation(s); existing and proposed structures, fill, storage of materials, drainage facilities and the location of the foregoing. Specifically, the following information is required to be submitted to the Administrator For Land Use And Building Services:

4.4.1 Application Stage

The applicant shall provide at least the following information, where applicable. Additional information may be required on the permit application form.

4.4.1.1 Base flood elevation (BFE) for the site in question as determined in the FEMA Flood Insurance Study (FIS) or Flood Insurance Rate Map (FIRM). The FIS flood profiles provide more accurate BFE data than the FIRM. The extent of the 100-year floodplain and floodway must be depicted with a boundary line on any site plans and shown in relation to existing and proposed structures or development;

4.4.1.2 Elevation in relation to mean sea level of the proposed lowest floor, including basement, of all new construction, substantial improvements or repairs to structures that have sustained substantial damage;

4.4.1.3 Elevation in relation to mean sea level to which any non-residential new construction, substantial improvements or repair to structures that have sustained substantial damage will be dry flood-proofed;

4.4.1.4 Description of the extent to which any watercourse will be altered or relocated as a result of the proposed development. Computations by a registered professional engineer must be submitted that demonstrate that the altered or relocated segment will provide equal or greater conveyance than the original stream segment. The applicant must submit any maps, computations or other materials required by the Federal Emergency Management Agency (FEMA) in order to officially amend or revise the Flood Insurance Rate Map. The applicant must pay any fees or other costs assessed by FEMA for this purpose. The applicant must also provide assurances that the conveyance capacity of the altered or relocated stream segment will be maintained;

4.4.1.5 A statement and supporting documentation (all costs of project, market value of structure, etc.) verifying that the proposed alterations to an existing structure meets or does not meet the criteria of the substantial improvement and/or substantial damage definition. If a development meets the definition of substantial improvement and/or substantial damage, the structure must be brought into compliance with all floodplain regulations as if it was new construction;

4.4.1.6 Where applicable, the following certifications by a registered professional engineer or architect are required, and must be provided to the Administrator For Land Use And Building Services. The design and methods of construction must be certified to be in accordance with accepted standards of practice and with the provisions of Section 5.3.

(a) Non-residential flood-proofing must meet the provisions of Section 5.3.1.2;

(b) Fully enclosed areas below the base flood elevation (BFE) must meet the minimum design criteria in Section 5.3.1.3;

(c) No (0.00) increase in floodway water surface elevations are allowed. Any development in a floodway must meet the provisions of Section 5.3.4;

4.4.2 Construction Stage

Upon completion of the applicable portion of construction, the applicant shall provide verification to the Administrator For Land Use And Building Services of the following as is applicable:

4.4.2.1. Lowest floor elevation shall be verified for:
A structure in Zones A, AE, A1-30, AO or AH is the top of the lowest floor (including basement);
A non-residential structure which has been dry flood-proofed is the elevation to which the flood-proofing is effective (Note: For insurance purposes, a dry flood-proofed, non-residential structure is rated based on the elevation of its lowest floor unless it is floodproofed to one foot above the BFE.);

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

4.5. DUTIES AND RESPONSIBILITIES OF THE LOCAL ADMINISTRATOR

Duties of the Administrator For Land Use And Building Services shall include, but not be limited to:

4.5.1 Review all permit applications for completeness, particularly with the requirements of Section 4.4.1.

4.5.2 Review all permit applications to determine whether the proposed development and building sites will be reasonably safe from flooding.

4.5.3 Review all development permits to assure that the permit requirements of this regulation have been satisfied.

4.5.4 Review all permit applications to assure that all necessary federal or state permits have been received. Require that copies of such permits be provided and maintained on file with the permit application. Such permits include, but are not limited to, Coastal Area Management (CAM) Permit, Water Diversion Permit, Dam Safety Permit, and Army Corps of Engineers 401 and 404 Permits.

4.5.5 Notify the regional planning agency and affected municipality at least thirty-five (35) days prior to a public hearing if any change of regulation or use of a flood zone will affect an area within five hundred (500) feet of another municipality.

4.5.6 Notify the adjacent communities and the Department of Energy and Environmental Protection (DEEP), Inland Water Resources Division, prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.

4.5.7 Assure that maintenance is provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished.

4.5.8 Obtain, record and maintain the elevation (in relation to mean sea level) of the lowest floor (including basement) of all new construction, substantial improvements or repair to a structure that has sustained substantial damage.

4.5.9 Obtain, record and maintain the elevation (in relation to mean sea level) to which the new construction, substantial improvement or repair to a structure that has sustain substantial damage has been flood-proofed.

4.5.10 When flood-proofing is utilized for a particular structure, the Administrator For Land Use And Building Services shall obtain certification from a registered professional engineer or architect, in accordance with Section 5.3.1.2.

4.5.11 Where interpretation is needed as to the exact location of boundaries of the area of special flood hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the Administrator For Land Use And Building Services shall make necessary interpretation. The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this regulation.

4.5.12 Require the applicant to provide base flood elevation data for all proposed development, including manufactured home parks and subdivisions.

4.5.13 When base flood elevation data or floodway data have not been provided in accordance with Section 3.2 and Section 4.4, the Administrator For Land Use And Building Services shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a federal, state or other source in order to administer the provisions of Section 5.0.

4.5.14 All records pertaining to the provisions of this regulation shall be obtained and maintained in the office of the Administrator For Land Use And Building Services.

4.5.15 Upon completion of the permitted development and prior to issuance of a Certificate of Occupancy (CO), necessary as-built surveys (prepared by a Connecticut Licensed Professional as per Connecticut State Statutes) and engineering and architectural certifications shall be provided to the Administrator For Land Use And Building Services demonstrating compliance with the approved plans and standards set forth in Section 4.4.

5. PROVISIONS FOR FLOOD HAZARD REDUCTION

5.1. GENERAL STANDARDS

In all Special Flood Hazard Areas (SFHAs) the following provisions are required:

5.1.1 New construction, substantial improvements, and structures that have sustained substantial damage shall be constructed using methods and practices that minimize flood damage.

5.1.2 New construction, substantial improvements, and structures that have sustained substantial damage shall be constructed with materials and utility equipment that are flood-damage resistant and conform to the provisions of FEMA Technical Bulletin 2. Flood Damage-Resistant Material Requirements. This includes, but is not limited to, flooring, interior and exterior walls, wall coverings and other materials installed below the base flood elevation plus one (1.0) foot.

5.1.3 New construction, substantial improvements, and repairs to structures that have sustained substantial damage shall be anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.

5.1.4 New construction, substantial improvements and repair to structures that have sustained substantial damage cannot be constructed or located entirely or partially over water unless they are a functionally dependent use or facility.

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

5.1.6 New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.

5.1.7 New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system and discharges from the system into flood waters.

5.1.8 On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.

5.1.9 Underground tanks shall be anchored to prevent flotation, collapse and lateral movement under conditions of the base flood. Above-ground storage tanks which are located outside or inside of a structure must be elevated one (1.0) foot above the base flood elevation (BFE) or shall be securely anchored to prevent flotation, collapse or lateral movement under conditions of the base flood. Where elevated on platforms, the platforms shall be cantilevered from or knee braced to the building or shall be supported on elevated foundations that conform to the standards for the particular flood zone as described in Section 5.3. Anchored tanks must have the top of the fill pipe located at least one (1.0) foot above the BFE and have a screw fill cap that does not allow for the infiltration of flood water.

5.1.10 In any portion of a watercourse that is altered or relocated, the flood carrying capacity must be maintained. Notify adjacent communities and the Connecticut Department of Energy and Environmental Protection (CTDEEP), Inland Water Resources Division (IWRD) prior to any alteration or relocation of a watercourse.

5.1.11 If any portion of a structure lies within the Special Flood Hazard Area (SFHA), the entire structure is considered to be located within the SFHA and must meet the construction requirements of the flood zone. The structure includes any structurally attached additions, garages, decks, porches, sunrooms, patios or any other structure attached to the main structure.

5.1.12 If a structure lies within two or more flood zones, the construction standards of the most restrictive zone apply to the entire structure (i.e., VE zone is more restrictive than AE zone; structure must be built to the highest BFE). The structure includes any structurally attached additions, garages, decks, porches, patios, sunrooms, or any other structure attached to the main structure.

5.1.13 **Compensatory Storage**. The water holding capacity of the floodplain, except those areas which are tidally influenced, shall not be reduced. Any reduction caused by filling, new construction or substantial improvements involving an increase in footprint to the structure, shall be compensated for by deepening and/or widening of the floodplain. Storage shall be provided on-site, unless easements have been gained from adjacent property owners; it shall be provided within the same hydraulic reach and a volume not previously used for flood storage; it shall be hydraulically comparable and incrementally equal to the theoretical volume of flood water at each elevation, up to and including the 100-year flood elevation, which would be displaced by the proposed project. Such compensatory volume shall have an unrestricted hydraulic connection to the same waterway or water body. Compensatory storage can be provided off-site if approved by the municipality.

5.1.14 **Equal Conveyance**. Within the floodplain, except those areas which are tidally influenced, as designated on the Flood Insurance Rate Map (FIRM) for the community, encroachments resulting from filling, new construction or substantial improvements involving an increase in footprint of the structure, are prohibited unless the applicant provides certification by a registered professional engineer demonstrating, with supporting hydrologic and hydraulic analyses performed in accordance with standard engineering practice, that such encroachments shall not result in any (0.00 feet) increase in flood levels (base flood elevation). Work within the floodplain and the land adjacent to the floodplain, including work to provide compensatory storage shall not be constructed in such a way so as to cause an increase in flood stage or flood velocity.

5.2. STANDARDS FOR WATERCOURSES WITHOUT ESTABLISHED BASE FLOOD ELEVATIONS (UN-NUMBERED A ZONE), ADOPTED FLOODWAYS AND/OR FLOOD MAPPING

5.2.1 The Administrator For Land Use And Building Services shall require base flood elevation (BFE) data be provided with any application for new construction, substantial improvement, repair to structures which have sustained substantial damage or other development in Zone A without a FEMA-published BFE (un-numbered A Zone). A registered professional engineer must determine the BFE in accordance with accepted hydrologic and hydraulic engineering practices and document the technical methods used. Studies, analyses and computations shall be submitted in sufficient detail to allow thorough review and approval. The Administrator For Land Use And Building Services shall obtain, review and reasonably utilize any BFE and floodway data available from a federal, state or other source, including data developed for subdivision proposals, as criteria for requiring that new construction, substantial improvements, repair to structures which have sustained substantial damage or other development in un-numbered A Zones on the community's Flood Insurance Rate Map (FIRM) meet the standards in Section 4.4 and Section 5.3. If no BFE can be determined, the lowest floor, including basement, must be elevated to two (2) feet above the highest adjacent grade next to the structure.

5.2.2 When BFEs have been determined within Zones A1-30 and AE on the community's FIRM but a regulatory floodway has not been designated, the Administrator For Land Use And Building Services must require that no new construction, substantial improvements, repair to structures which have sustained substantial damage or other development, including fill, shall be permitted which will increase the water surface elevation of the base flood more than one (1.0) foot at any point within the community when all existing and anticipated development is considered cumulatively with the proposed development.

5.2.3 The Administrator For Land Use And Building Services may request floodway data of an applicant for watercourses without FEMA-published floodways. When such data is provided by an applicant or whenever such data is available from any other source (in response to the municipality's request or not), the community shall adopt a regulatory floodway based on the principle that the floodway must be able to convey the waters of the base flood without increasing the water surface elevation more than one (1.0) foot at any point within the community.

5.2.4 The Administrator For Land Use And Building Services shall obtain, review and reasonably utilize any BFE and floodway data available from a federal, state or other source, as criteria for requiring that new construction, substantial improvements, repair to structures which have sustained substantial damage or other development in any area of potential, demonstrable or historical flooding within the community meet the standards in Section 4.4 and Section 5.3.

5.2.5 Under the provisions of 44 CFR Chapter 1, Section 65.12, of the National Flood Insurance Program regulations, a community may approve certain development in Zones A1-30, AE, AH, on the community's FIRM which increases the water surface elevation of the base flood by more than one (1.0) foot, provided that the community first completes all of the provisions required by Section 65.12.

5.3. SPECIFIC STANDARDS

5.3.1 Construction Standards in Special Flood Hazard Areas (SFHA), Zones A, A1-30, AE.

5.3.1.1 **Residential Construction** - All new construction, substantial improvements, and repair to structures that have sustained substantial damage which are residential structures shall have the bottom of the lowest floor, including basement, elevated one (1.0) foot above the base flood elevation (BFE). Electrical, plumbing, machinery or other utility equipment that service the structure must be elevated one (1.0) foot above the BFE.

5.3.1.2 **Non-Residential Construction** - All new construction, substantial improvements, and repair to structures that have sustained substantial damage which are commercial, industrial or non- residential structures shall:

(a) Have the bottom of the lowest floor, including basement, elevated one (1.0) foot above the base flood elevation (BFE); or

(b) In lieu of being elevated, non-residential structures may be dry flood-proofed to one (1.0) foot above the BFE provided that together with all attendant utilities and sanitary facilities the areas of the structure below the required elevation are watertight with walls substantially impermeable to the passage of water, and provided that such structures are composed of structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. A registered professional engineer or architect shall review and/or develop structural design specifications and plans for the construction, and shall certify that the design and methods of construction are in accordance with acceptable standards of practice for meeting the provisions of this section. Such certification shall be provided to the Administrator For Land Use And Building Services on the FEMA Floodproofing Certificate, Form 81-65,

(c) The bottom of all electrical, plumbing, machinery or other utility equipment that service the structure must be elevated one (1.0) foot above the BFE.

5.3.1.3 **Fully Enclosed Areas Below The Base Flood Elevation Of Elevated Buildings** - All new construction, substantial improvements, or repair to structures that have sustained substantial damage, whether residential or non-residential, that include fully enclosed areas formed by a foundation and other exterior walls shall have the lowest floor elevated to one (1.0) foot above the base flood elevation (BFE). The elevated building shall be designed to preclude finished living space below the lowest floor and be designed to allow for the entry and exit of flood waters to automatically equalize hydrostatic flood forces on exterior walls (wet flood-proofing). Designs for complying with this requirement must either be certified by a registered professional engineer or architect as meeting the requirements of ASCE 24 Section 2.6.2.2, or meet the following minimum criteria listed in sections (a)-(h) below:

(a) Provide a minimum of two (2) openings (hydraulic flood vents) having a total net area of not less than one square inch for every one square foot of enclosed area subject to flooding. The enclosed area is measured on the exterior of the enclosure walls. These hydraulic openings must be located on at least two different exterior walls of each enclosed area. If the structure has more than one enclosed area, openings must be installed in the exterior walls of each enclosed area so that flood waters can enter directly from the outside;

(b) The bottom of all openings shall be no higher than one (1.0) foot above the higher of either the final interior grade or floor elevation, or the finished exterior grade adjacent to the outside of the foundation wall. At least one side of the structure's fully enclosed area must be at or above grade. Fill placed around the foundation walls must be graded so that the elevation inside the enclosed area is equal to or higher than the adjacent outside elevation on at least one side of the building. The finished floor of the enclosed area shall be no lower than the bottom of the foundation openings. The foundation slab of a residential structure, including the slab or a crawlspace, must be set equal to the outside finished grade on at least one side of the building;

(c) The openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic entry and exit of flood waters in both directions without any external influence or control such as human intervention, including the use of electrical and other non-automatic mechanical means. These coverings must not block or impede the automatic flow of floodwaters into and out of the enclosed area. Other coverings may be designed and certified by a registered professional engineer or approved by the Administrator For Land Use And Building Services;

(d) Openings shall not be less than three (3) inches in any direction in the plane of the wall;

(e) The area cannot be used as finished living space. Use of the enclosed area shall be the minimum necessary and shall only be used for the parking of vehicles, building access or limited storage. Access to the enclosed area shall be the minimum necessary to allow for the parking of vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the living area (stairway or elevator). The enclosed area shall not be used for human habitation;

(f) All interior walls, floor, and ceiling materials located below one (1.0) foot above the BFE shall be unfinished and resistant to flood damage-resistant in accordance with FEMA Technical Bulletin 2 - Flood Damage-Resistant Requirements.

(g) Electrical, plumbing, HVAC ductwork, machinery or other utility equipment and connections that service the structure (including, but not limited to, furnaces, oil or propane tanks, air conditioners, heat pumps, hot water heaters, ventilation, washers and dryer hook-ups, electrical junction boxes, circuit breaker boxes and food freezers) are prohibited in the fully enclosed area below the BFE plus one (1.0) foot. Utilities or service equipment located in this enclosed area, even if elevated one (1.0) foot above the BFE in the space, will subject the structure to increased flood insurance rates.

(h) A residential building with a structurally attached garage having the floor slab below the BFE is considered an enclosed area below the BFE and must meet the standards of Sections 5.3.1.3 (a)-(g). A garage attached to a residential structure, constructed with the garage floor slab below the BFE, must be designed to allow for the automatic entry and exit of floodwaters in both directions. Flood openings or vents are required in the exterior walls of the garage or in the garage doors. Garage doors that must be manually opened do not meet the flood vent opening requirements in Section 5.3.1.3 (a)-(c). In addition to the automatic entry of floodwaters, the areas of the garage below BFE plus one (1.0) foot must be constructed with flood damage-resistant materials per the requirements of FEMA Technical Bulletin 2. Garages attached to non-residential structures must also meet the aforementioned requirements or be dry floodproofed as per the requirements of Section 5.3.1.2.

5.3.2 Manufactured (Mobile) Homes and Recreational Vehicles (RVs).

5.3.2.1 In all Special Flood Hazard Areas (SFHA), any manufactured (mobile) homes to be newly placed, undergoing a substantial improvement or repaired as a result of substantial damage, shall be elevated so that the bottom of the frame is located one (1.0) foot above the base flood elevation (BFE). The manufactured home must also meet all the construction standards per Section 5.3.1. The foundation and anchorage of manufactured homes to be located in floodways shall be designed and constructed in accordance with ASCE24. This includes SFHAs outside a manufactured home park or subdivision, in a new manufactured home park or subdivision, in an existing manufactured home park or subdivision, in an expansion to an existing manufactured home park or subdivision, or on a site in an existing park which a manufactured home has incurred substantial damage as a result of a flood.

5.3.2.2 All manufactured (mobile) homes within a SFHA shall be placed on a permanent foundation which itself is securely anchored and to which the structure is securely anchored so that it will resist flotation, lateral movement and hydrostatic pressures. Anchoring may include, but not be limited to, the use of over-the-top or frame ties to ground anchors.

5.3.2.3 All manufactured (mobile) homes within a SFHA shall be installed using methods and practices which minimize flood damage. Adequate access and drainage should be provided. Elevation construction standards include piling foundations placed no more than ten (10) feet apart, and reinforcement is provided for piers more than six (6) feet above ground level.

5.3.2.4 Recreational vehicles placed on sites within a SFHA shall either (i) be on the site for fewer than 180 consecutive days, and (ii) be fully licensed and ready for highway use, OR (iii) meet all the general standards of Section 5.1 and the elevation and anchoring requirement of Section 5.3.2.1, 5.3.2.2, and 5.3.2.3. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

5.3.3 Floodways

Located within Special Flood Hazard Areas (SFHA) are areas designated as floodways on the community's Flood Insurance Rate Maps (FIRM) or Flood Boundary and Floodway Maps (FBFM). Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles and has erosion potential, no encroachments, including fill, new construction, substantial improvements, repairs to substantially damaged structures and other developments shall be permitted unless certification, with supporting technical data, by a registered professional engineer is provided demonstrating, through hydrologic and hydraulic analyses performed in accordance with standard engineering practice, that encroachments shall not result in any (0.00 feet) increase in flood levels during occurrence of the base flood discharge published by FEMA. Buildings and structures meeting the standard above and located in whole or in part in the floodway shall be designed and constructed in accordance with ASCE 24. Fences in the floodway must be aligned with the flow and be of an open design. A permit may be given which allows encroachments resulting in increases in base flood elevations provided the community first obtains a conditional floodway revision by meeting the requirements of C.F.R. 44, Chapter 1, Subsection 65.12.

5.3.4 Standards for Development in Areas of Shallow Flooding (Zones AO and AH)

Located within the Special Flood Hazard Areas (SFHA) are areas designated as shallow flooding areas (AO and AH Zones). These areas have flood hazards associated with base flood depths of one (1) to three (3) feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and indeterminate. In AO and AH zones, the following provisions apply:

5.3.4.1 For residential structures, all new construction, substantial improvements and repair to structures that have sustained substantial damage shall have the lowest floor, including basement, elevated above the highest adjacent grade at least as high as one (1.0) foot above the depth number specified on the Flood Insurance Rate Map (FIRM. If no depth number is specified, the lowest floor, including basement, shall be elevated at least three (3.0) feet above the highest adjacent grade.

5.3.4.2 For non-residential structures, all new construction, substantial improvements and repair to structures that have sustained substantial damage shall:

(a) Have the lowest floor, including basement, elevated above the highest adjacent grade at least as high as one (1.0) foot above the depth number specified on the Flood Insurance Rate Map (FIRM). If no depth number is specified, the lowest floor, including basement, shall be elevated at least three (3.0) feet above the highest adjacent grade; or

(b) Together with attendant utility and sanitary facilities be completely flood- proofed to above the highest adjacent grade at least as high as one (1.0) foot above the depth number specified on the FIRM, or if no depth number is specified at least three (3.0) feet above the highest adjacent grade, so that any space below that level is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. Designs for complying with this requirement must be certified by either a registered professional engineer or architect.

4.3.4.3 On-site drainage for all proposed structures in AO and AH Zones located on slopes shall provide adequate drainage paths to guide flood waters around and away from such structures.

5.3.4.4 Fully enclosed areas below the lowest floor in AO and AH Zones must comply with the provisions of Section 5.3.1.3 for hydraulic flood vents.

6. DESIGN STANDARDS FOR SUBDIVISION PROPOSALS

If a proposed subdivision, including the placement of a manufactured home park or subdivision, is located in a Special Flood Hazard Area (SFHA) the following requirements shall apply:

6.1 All subdivision proposals shall be consistent with the need to minimize flood damage;

6.2 All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage;

6.3 All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards; and the Administrator For Land Use And Building Services shall require the applicant to provide BFE data for all subdivision proposals, including manufactured home parks and subdivisions, as per Section 4.5.12.

6.4 In all special flood hazard areas where base flood elevation (BFE) data is not available, the applicant shall provide a hydrologic and hydraulic engineering analysis performed by a registered professional engineer that generates BFEs for all subdivision proposals and other proposed development, including manufactured home parks and subdivisions.

7. VARIANCE PROCEDURES

7.1 ESTABLISHMENT OF VARIANCE PROCESS

7.1.1 The Zoning Board of Appeals, as established by the Town of Watertown, shall hear and decide appeals and requests for variances from the requirements of this regulation.

7.1.2 The Zoning Board of Appeals shall hear and decide appeals when it is alleged there is an error in any requirement, decision or determination made by the Administrator For Land Use And Building Services in the enforcement or administration of this regulation.

7.1.3 Any person aggrieved by the decision of the Zoning Board of Appeals or any person owning land which abuts or is within a radius of one hundred (100) feet of the land in question may appeal within fifteen (15) days after such decision to the State Superior Court of Waterbury Judicial District, as provided in Section 8-8 of the General Statutes of Connecticut.

7.1.4 The Administrator For Land Use And Building Services shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency (FEMA) in its biennial report.

7.2 SPECIFIC SITUATION VARIANCES

7.2.1 **Buildings on a Historic Register** - Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places, the State Inventory of Historic Places, or any locally-adopted historic district without regard to the procedures set forth in the remainder of this section and provided the proposed reconstruction, rehabilitation or restoration will not result in the structure losing its historical designation.

7.2.2 **Functionally Dependent Use or Facility** - Variances may be issued for new construction and substantial improvements and other development necessary for the conduct of a functionally dependent use or facility provided the structure or other development is protected by methods that minimize flood damage, creates no additional threat to public safety and meet all the requirements of Section 7.3.

7.2.3 **Floodway Prohibition** - Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

7.3 CONSIDERATIONS FOR GRANTING OF VARIANCES

In passing upon such applications, the Zoning Board of Appeals shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this regulation and the items listed below as 7.3.1 through 7.3.11. Upon consideration of these factors and the purposes of this regulation, the Zoning Board of Appeals may attach such conditions to the granting of variances as it deems necessary to further the purposes of this regulation.

7.3.1 The danger that materials may be swept onto other lands to the injury of others;

7.3.2 The danger to life and property due to flooding or erosion damage;

7.3.3 The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;

7.3.4 The importance of the services provided by the proposed facility to the community;

7.3.5 The necessity of the facility to waterfront location, in the case of a functionally dependent facility;

7.3.6 The availability of alternative locations not subject to flooding or erosion damage for the proposed use;

7.3.7 The compatibility of the proposed use with existing and anticipated development;

7.3.8 The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;

7.3.9 The safety access to the property in times of flood for ordinary and emergency vehicles;

7.3.10 The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and

7.3.11 The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, and streets and bridges.

7.4 CONDITIONS FOR VARIANCES

7.4.1 Variances shall only be used upon a determination that the variance is the minimum necessary to afford relief considering the flood hazard; and in the instance of a historical building, a determination that the variance is the minimum necessary as not to destroy the historic character and design of the building and result in the loss of historic designation of the building. Variances pertain to a piece of property and are not personal in nature. A properly issued variance is granted for a parcel of property with physical characteristics so unusual that complying with the regulation would create an exceptional hardship to the applicant or the surrounding property owners. Those characteristics must be unique to that property and not be shared by adjacent parcels. For example, economic or financial hardship is not sufficient cause for a variance, nor are inconvenience, aesthetic considerations, physical handicaps, personal preferences or disapproval of one's neighbors.

7.4.2 Variances shall only be used upon

(i) a showing of good and sufficient cause,

(ii) a determination that failure to grant the variance would result in exceptional hardship, and;

(iii) a determination that the granting of a variance will not result in:

- increased flood heights,
- additional threats to public safety,
- extraordinary public expense,
- create nuisance,
- damage the rights or property values of other persons in the area,
- cause fraud on or victimization of the public, or
- conflict with existing local laws, ordinances or regulations.

Only hardships that are based on unusual or unique physical characteristics of the property in question, characteristics that are not shared by adjacent parcels, shall quality to meet subsection (ii) above. Claims of hardship based on the structure, on economic gain or loss, or on personal or self-created circumstances are not sufficient cause for the granting of a variance.

7.4.3 No variance may be issued within a regulatory floodway that will result in any increase in the 100-year flood levels. A variance may be issued for new construction, substantial improvements and other development necessary for the conduct of a "functionally dependent use" provided that there is good and sufficient cause for providing relief; and the variance does not cause a rise in the 100-year flood level within a regulatory floodway. The structure and other development must be protected by methods that minimize flood damages.

7.4.4 Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the base flood elevation (BFE), and that the cost of flood insurance will be commensurate with the increased risk resulting from the lowest floor elevation up to amounts as high as $25 for $100 of insurance coverage.

8. ENFORCEMENT

8.1 Each Zoning Permit shall authorize, as a condition of approval, the Administrator For Land Use And Building Services or designated agents to make regular inspections of the subject property. The Administrator For Land Use And Building Services or designated agents are also authorized to inspect any property in a Special Flood Hazard Area (SFHA) where it appears that violations of these regulations may be taking place.

8.2 If the Administrator For Land Use And Building Services finds that any person is undertaking any construction, substantial improvement, filling, or any other activity or maintaining a condition which in violation of these regulations, the Administrator For Land Use And Building Services shall:

8.2.1 Issue a written order by certified mail, return receipt requested, to the subject property owner, ordering that the activity cease and ordering the property owner to either seek to obtain a Zoning Permit prior to continuing with the activity or, if appropriate, ordering that all violations and/or obstructions be removed from the Special Flood Hazard Area (SFHA) immediately.

8.2.2 Notify the Building Official and request that any Building Permit(s) in force be revoked or suspended and that a stop work order be issued.

8.2.3 The Administrator For Land Use And Building Services may suspend or revoke a Floodplain Development Permit if it is found that the applicant has not complied with the terms, conditions or limitations set forth in the permit or has exceeded the scope of work as set forth in the application including application plans. Prior to revoking any permit, the Administrator For Land Use And Building Services shall issue notice to the permittee, personally or by certified mail, return receipt requested, setting forth the facts or conduct which warrants the intended action.

8.2.4 Failure to comply with any written order issued under this section shall be considered a violation of these regulations and is subject to the penalties described in Section 10.0.

8.2.5 In the event violations or obstructions are not promptly removed from the Special Flood Hazard Area (SFHA), the Administrator For Land Use And Building Services may cause such removal and remediation work to be performed utilizing bond money held in escrow pursuant to Section 3.0 of this regulation, or may direct the Town Engineer of Director of Public Works or appropriate agent to cause such work to be done and to place a lien against the property.

8.2.6 Any person subjected to enforcement action pursuant to this regulation, may appeal any requirement, decision, or determination of the Administrator For Land Use And Building Services to the [local appeals board], in accordance with Section 6.0 of this regulation. Such person shall provide such information as necessary including appropriate certifications from a registered professional engineer or architect in order to substantiate the claim that the requirement, decision, or determination of the Administrator For Land Use And Building Services was in error or unwarranted.

9. PENALTIES FOR VIOLATION

Any violation of the provisions of this regulation or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grant of variances or special exceptions, shall constitute a misdemeanor.

Any person who violates this regulation or fails to comply with any of its requirements shall, upon conviction thereof, be fined a penalty of $250.00 per day or imprisoned for not more than ten (10) days for each day of violation or both, and in addition shall pay all costs and reasonable legal fees involved in the case.

Nothing herein contained shall prevent the Town of Watertown from taking such lawful action as is necessary to prevent or remedy any violation.

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NOTES & COMMENTS

Assistance in the preparation of these Zoning Regulations provided by

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TOWN OF

WATERTOWN, CONNECTICUT

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