

# ARTICLE 4: BUILDING & LOT/BUILDING SITE STANDARDS

## 4.3.9 Uses

### A. General.

1. Buildings and Lots or Building Sites must comply with the Use standards and requirements of this Section 4.3.9.
2. Principal Uses, Accessory Uses, and Temporary Uses are Permitted by Right ("P"), Permitted by Right with Limitations ("PL"), as Special Permit Uses ("SPU"), or Not Permitted ("NP") within each District, in each case as indicated in **Table 4.3.9.A (Building, Lot & Building Site Principal Uses)**, **Table 4.3.9.D (Building, Lot & Building Site Accessory Uses)**, and **Table 4.3.9.E (Building, Lot & Building Site Temporary Uses)**.
3. Principal Uses, Accessory Uses, or Temporary Uses, as applicable, of Buildings and Lots or Building Sites which are indicated in **Table 4.3.9.A (Building & Lot Principal Uses)**, **Table 4.3.9.D (Building, Lot & Building Site Accessory Uses)**, or **Table 4.3.9.E (Building, Lot & Building Site Temporary Uses)** as Permitted ("P"), Permitted by Right with Limitations ("PL"), or as Special Permit Uses ("SPU"), are permitted within each District, subject to compliance with all applicable standards, conditions and requirements thereof and obtaining all applicable approvals and permits therefor, including without limitation in the case of Uses Permitted by Right with Limitations ("PL") and Special Permit Uses ("SPU"), compliance with the applicable Use standards of Section 4.3.11.F, and in the case of Special Permit Uses ("SPU"), a Special Permit pursuant to Section 8.4.8.
4. Without limitation, Accessory Uses must be subordinate and customarily incidental to a permitted Principal Use on the Lot.
5. Multiple Principal Uses that are allowed within a District may exist within a single Building, Lot, or Building Site, subject to compliance with all other applicable standards and requirements.

### B. Uses Permitted by Right.

Principal Uses, Accessory Uses, or Temporary Uses, as applicable, of Buildings, Lots, and Building Sites, which are indicated for each District in **Table 4.3.9.A (Building, Lot & Building Site Principal Uses)**, **Table 4.3.9.D (Building, Lot & Building Site Accessory Uses)**, or **Table 4.3.9.E (Building, Lot & Building Site Temporary Uses)** as Permitted ("P") are allowed by right, subject to compliance with all other applicable provisions of these Regulations.

### C. Prohibited Uses.

Except as otherwise determined by the Planning and Zoning Director pursuant to Section 8.2.1 with respect to a Use that is not specifically listed as Permitted ("P"), Permitted by Right with Limitations ("PL"), or as a Special Permit Use ("SPU") in **Table 4.3.9.A (Building & Lot Principal Uses)**, **Table 4.3.9.D (Building, Lot & Building Site Accessory Uses)**, or **Table 4.3.9.E (Building, Lot & Building Site Temporary Uses)**, and any Use that is specifically listed Not Permitted ("NP") in such applicable Table or is otherwise prohibited pursuant to any other provision of the City Code, is prohibited.

# ARTICLE 4: BUILDING & LOT/BUILDING SITE STANDARDS

TABLE 4.3.9.A BUILDING, LOT & BUILDING SITE PRINCIPAL USES

PRINCIPAL USE	CD-3L	CD-3S	CD-3	CD-4	CD-4W	CD-4C	CD-5	CD-5W	SD-H	SD-IC	SD-LI	SD-HI	SD-MC	CV
<b>RESIDENTIAL</b>														
Boarding or Rooming Houses	NP	NP	NP	SPU	SPU	SPU	SPU	SPU	NP	NP	SPU	NP	NP	NP
Community Residences	NP	NP	SPU	SPU	SPU	SPU	SPU	SPU	NP	NP	NP	NP	NP	NP
Congregate Housing	PL <sup>1</sup> **	PL <sup>1</sup>	PL <sup>1</sup>	P <12 units	NP	SPU	SPU	SPU	NP	NP	NP	NP	SPU	NP
				SPU 12+ units										
Dormitory	NP	NP	NP	P	NP	P	P	NP	NP	NP	NP	NP	NP	NP
Duplex	NP	NP	P	P	P	P	NP	NP	NP	NP	NP	NP	NP	NP
Elderly Housing Units	NP	NP	PL <sup>1</sup>	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Group Home	NP	PL <sup>1</sup>	PL <sup>1</sup>	PL <sup>1</sup>	NP	SPU	SPU	NP	NP	NP	NP	NP	NP	NP
Halfway House	NP	PL <sup>1</sup>	PL <sup>1</sup>	PL <sup>1</sup>	NP	PL <sup>1</sup>	PL <sup>1</sup>	PL <sup>1</sup>	NP	NP	NP	NP	NP	NP
Large Multifamily Building	NP	NP	NP	PL <sup>1</sup>	NP	PL <sup>1</sup>	PL <sup>1</sup>	PL <sup>1</sup>	NP	NP	NP	NP	SPU	NP
Residential Portion of Flex Building Type	NP	NP	NP	P	NP	PL <sup>1</sup>	P	P	NP	NP	PL <sup>1</sup>	NP	PL <sup>1</sup>	NP
Residential Portion of Live/Work Building Type	NP	NP	NP	P	P	P	P	P	NP	NP	PL <sup>1</sup>	NP	PL <sup>1</sup>	NP
Residential Portion of Mid-Rise Building Type	NP	NP	NP	NP	NP	PL <sup>1</sup>	PL <sup>1</sup>	PL <sup>1</sup>	NP	NP	NP	NP	NP	NP
Residential Portion of Mixed Use Building Type	NP	NP	NP	PL <sup>1</sup>	PL <sup>1</sup>	PL <sup>1</sup>	PL <sup>1</sup>	PL <sup>1</sup>	NP	NP	PL <sup>1</sup>	NP	PL <sup>1</sup>	NP
Single-Family Detached Dwelling	P <sup>*</sup>	P	P	P	P	P	NP	NP	NP	P	NP	NP	NP	NP
Small Multifamily Building	NP	NP	NP	PL <sup>1</sup>	PL <sup>1</sup>	PL <sup>1</sup>	PL <sup>1</sup>	PL <sup>1</sup>	NP	NP	NP	NP	SPU	NP
Townhouse	NP	NP	NP	P	P	P	P	P	NP	NP	NP	NP	NP	NP

**LEGEND** The following notations are utilized in this table.  
<sup>1</sup>Special Permit also required  
<sup>\*</sup>Permitted by Right with Limitations in Silvermine Tavern Village District Overlay  
<sup>\*\*</sup>Not Permitted in Silvermine Tavern Village District Overlay

<b>P</b> Permitted by Right	<b>PL</b> Permitted by Right with Limitations	<b>SPU</b> Special Permit Use	<b>NP</b> Not Permitted	<b>NR</b> Not Regulated
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# ARTICLE 4: BUILDING & LOT/BUILDING SITE STANDARDS

TABLE 4.3.9.A BUILDING, LOT & BUILDING SITE PRINCIPAL USES

PRINCIPAL USE	CD-3L	CD-3S	CD-3	CD-4	CD-4W	CD-4C	CD-5	CD-5W	SD-H	SD-IC	SD-LI	SD-HI	SD-MC	CV
<b>LODGING</b>														
Bed & Breakfast	P	P	P	P	P	P	P	P	NP	NP	NP	NP	NP	NP
Extended Stay Hotel	NP	NP	NP	NP	NP	PL <sub>1</sub>	PL <sub>1</sub>	NP	NP	NP	NP	NP	NP	NP
Hotel	NP*	NP	NP	P	P	P	P	P	NP	NP	NP	NP	SPU	NP
Inn	NP*	NP	NP	P	P	P	P	P	NP	NP	NP	NP	NP	NP
Lodge	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Motel	NP	NP	NP	NP	NP	P	NP	NP	NP	NP	NP	NP	NP	NP
<b>OFFICE</b>														
Business Service Establishment	NP	NP	NP	PL	PL	P	P	P	NP	NP	P	NP	SPU	NP
Financial institutions	NP	NP	NP	PL	PL	P	P	P	NP	NP	PL	NP	NP	NP
Government Agencies & charitable organizations	NP	NP	NP	P	P	P	P	P	NP	NP	PL	NP	P	SPU
Medical office	NP	NP	NP	NP	NP	P	P	P	P	NP	PL	NP	NP	NP
Offices	NP	NP	PL <sub>1</sub>	PL	PL	P	P	P	NP	NP	PL	NP	P	NP
<b>COMMERCIAL</b>														
<b>RECREATIONAL &amp; ENTERTAINMENT USES</b>														
Adult Day Care Facility	NP	NP	NP	P	P	P	P	P	NP	NP	P	NP	NP	NP
Amphitheater	NP	NP	NP	PL	PL	PL	PL	PL	NP	NP	PL	NP	NP	NP
Automobile Trailer Park	NP*	NP	NP	NP	NP	PL <sub>1</sub>	NP	NP	NP	NP	NP	NP	NP	NP
Commercial Recreation Establishment	NP	NP	NP	NP	NP	P	NP	NP	NP	NP	NP	NP	NP	NP
Golf Club	SPU	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	SPU
Health Club	NP	NP	NP	PL	PL	P	P	P	NP	NP	P	NP	NP	NP

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\*Special Permit Use also required

\*\*Permitted by Right with Limitations in Silvermine Tavern Village District Overlay

\*\*Not Permitted in Silvermine Tavern Village District Overlay

**P** Permitted by Right

**PL** Permitted by Right with Limitations

**SPU** Special Permit Use

**NP** Not Permitted

**NR** Not Regulated

# ARTICLE 4: BUILDING & LOT/BUILDING SITE STANDARDS

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PRINCIPAL USE	CD-3L	CD-3S	CD-3	CD-4	CD-4W	CD-4C	CD-5	CD-5W	SD-H	SD-IC	SD-LI	SD-HI	SD-MC	CV
Social clubs	NP	NP	NP	P	P	P	P	P	NP	NP	NP	NP	NP	NP
Theater	NP	NP	NP	P	P	P	P	P	NP	NP	NP	NP	NP	NP
<b>PARKING</b>														
Parking Lot	NP	NP	NP	NP	NP	PL	NP	NP	NP	NP	PL	PL	PL	NP
Parking Structure	NP	NP	NP	P	NP	P	P	P	P	NP	P	P	P	P
<b>DINING &amp; ALCOHOLIC BEVERAGE ESTABLISHMENTS</b>														
Brew Pub/Distillery	NP	NP	NP	P	P	P	P	P	NP	NP	P	P	NP	NP
Restaurant	NP*	NP	NP	PL	PL	P	P	P	NP	NP	NP	NP	P	PL
<b>RETAIL &amp; PERSONAL SERVICE USES</b>														
Animal Care Center	NP	NP	NP	NP	NP	PL	NP	NP	NP	NP	PL	PL	NP	NP
Artist Live/Work	NP	NP	NP	PL	PL	PL	PL	PL	NP	NP	PL	NP	PL	NP
Artist studio or workspace	NP	NP	NP	P	P	P	P	P	NP	NP	P	P	P	NP
Cannabis Delivery Service	NP	NP	NP	NP	NP	PL	NP	NP	NP	NP	PL	PL	NP	NP
Cannabis Dispensary Facility	NP	NP	NP	NP	NP	PL	NP	NP	NP	NP	NP	NP	NP	NP
Cannabis Hybrid Retailer	NP	NP	NP	NP	NP	PL	NP	NP	NP	NP	NP	NP	NP	NP
Cannabis Retailer	NP	NP	NP	NP	NP	PL	NP	NP	NP	NP	NP	NP	NP	NP
Funeral Home	NP	NP	NP	SPU	NP	SPU	NP	NP	NP	NP	NP	NP	NP	NP
Medical Marijuana Dispensary	NP	NP	NP	NP	NP	SPU	NP	NP	NP	NP	NP	NP	NP	NP
Personal Service Establishment	NP	NP	NP	PL	PL	P	P	P	NP	NP	P	NP	P	NP
Printing Establishment	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP
Retail Sales	NP*	NP	NP	PL	PL	P	P	P	NP	NP	NP	NP	NP	NP

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PRINCIPAL USE	CD-3L	CD-3S	CD-3	CD-4	CD-4W	CD-4C	CD-5	CD-5W	SD-H	SD-IC	SD-LI	SD-HI	SD-MC	CV
<b>ADULT USES</b>														
Adult Use Establishment	NP	NP	NP	NP	NP	PL <sup>1</sup>	NP	NP	NP	NP	PL	NP	NP	NP
<b>CIVIC</b>														
<b>RELIGIOUS FACILITIES</b>														
Religious Facilities	PL <sup>1</sup>	PL <sup>1</sup>	PL <sup>1</sup>	P	P	P	P	P	NP	NP	NP	NP	P	NP
<b>CIVIL SUPPORT</b>														
Cemetery	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P
Firehouse/Police Station	P <sup>**</sup>	P	P	P	P	P	P	P	NP	NP	P	P	P	P
<b>CULTURAL &amp; ENTERTAINMENT</b>														
Amphitheater	NP	NP	NP	PL	P	P	P	P	NP	NP	NP	NP	P	P
Auditorium, Community Center, or other Place of Assembly	NP	NP	NP	PL	PL	PL	PL	PL	NP	NP	NP	NP	NP	P
Library	NP	NP	NP	P	P	P	P	P	NP	NP	NP	NP	NP	P
Maritime Center	NP	NP	NP	P	P	P	P	P	NP	NP	NP	NP	P	P
Museum	NP	NP	NP	P	P	P	P	P	NP	NP	NP	NP	P	PL
Performing arts theater	NP	NP	NP	P	P	P	P	P	NP	NP	NP	NP	P	PL
<b>RECREATION</b>														
Community Garden	P	P	P	P	P	P	P	P	NR	NR	NR	NR	NR	P
Green	P	P	P	P	P	P	P	P	NR	NR	NR	NR	NR	P
Park	P	P	P	P	P	NP	NP	NP	NR	NR	NR	NR	NR	P

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**TABLE 4.3.9.A BUILDING, LOT & BUILDING SITE PRINCIPAL USES**

PRINCIPAL USE	CD-3L	CD-3S	CD-3	CD-4	CD-4W	CD-4C	CD-5	CD-5W	SD-H	SD-IC	SD-LI	SD-HI	SD-MC	CV
Playground	P	P	P	P	P	P	P	P	NR	NR	NR	NR	NR	P
Plaza	NP	NP	NP	P	P	P	P	P	NR	NR	P	NR	NR	P
Pocket Park	P	P	P	P	P	P	P	P	NR	NR	P	NR	NR	P
Sport Field	P	P	NP	P	NP	NP	NP	NP	NR	NR	NP	NR	NR	P
Square	NP	NP	NP	P	P	P	P	P	NR	NR	P	NR	NR	P

## TRANSPORTATION

Boat Terminal	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	SPU	SPU	SPU	P
Bus Storage Terminal	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP
Municipal Public Parking	NP	NP	NP	P	P	P	P	P	NP	NP	P	P	P	P
Railroad Station	NP	NP	NP	SPU	NP	SPU	SPU	SPU	NP	NP	SPU	SPU	SPU	P
Transportation Terminals	NP	NP	NP	SPU	SPU	SPU	SPU	SPU	NP	NP	SPU	SPU	SPU	P
OTHER CIVIC USES NOT SPECIFICALLY LISTED UNDER ANY CATEGORY	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P

## AGRICULTURAL

Farmers market	NP	NP	NP	P	P	P	P	P	NP	NP	P	NP	NP	P
Landscape Nursery	NP	NP	NP	NP	NP	P	NP	NP	NP	NP	P	NP	NP	NP

## INSTITUTIONAL

### HEALTHCARE

Convalescent/Nursing/Rest Home	PL <sup>1</sup> **	PL <sup>1</sup>	PL <sup>1</sup>	SPU	SPU	SPU	SPU	SPU	NP	NP	SPU	NP	NP	NP
Hospital	NP	NP	NP	NP	NP	NP	NP	NP	P	NP	NP	NP	NP	NP

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<sup>1</sup>Special Permit Use also required

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\*\*Not Permitted in Silvermine Tavern Village District Overlay



Permitted by Right



Permitted by Right with Limitations



Special Permit Use



Not Permitted



Not Regulated

# ARTICLE 4: BUILDING & LOT/BUILDING SITE STANDARDS

TABLE 4.3.9.A BUILDING, LOT & BUILDING SITE PRINCIPAL USES

PRINCIPAL USE	CD-3L	CD-3S	CD-3	CD-4	CD-4W	CD-4C	CD-5	CD-5W	SD-H	SD-IC	SD-LI	SD-HI	SD-MC	CV
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## EDUCATION

Child Day-Care Center	NP	NP	NP	PL <sup>1</sup>	PL <sup>1</sup>	PL <sup>1</sup>	PL <sup>1</sup>	PL <sup>1</sup>	SPU	NP	NP	NP	NP	NP
College or University	NP	NP	NP	SPU	SPU	SPU	SPU	SPU	NP	NP	NP	NP	NP	SPU
Elementary or Secondary School	PL <sup>1</sup>	PL <sup>1</sup>	PL <sup>1</sup>	SPU	NP	P	P	P	SPU	NP	NP	NP	NP	SPU
School or Institution for the disabled	NP	NP	NP	SPU	SPU	SPU	SPU	SPU	SPU	NP	SPU	NP	NP	NP
Trade or Vocational School	NP	NP	NP	PL <sup>1</sup>	PL <sup>1</sup>	PL <sup>1</sup>	PL <sup>1</sup>	PL <sup>1</sup>	SPU	NP	PL <sup>1</sup>	PL <sup>1</sup>	NP	NP
Youth Day Camp	NP	NP	NP	P	P	P	P	NP	SPU	NP	NP	NP	NP	P

## MARINE & VESSEL USES

### MARINE

Boat-Building facility	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	P	NP
Boat repair and service facility	NP	NP	NP	NP	P	NP	NP	NP	NP	NP	P	P	P	NP
Boat sales, rental or leasing	NP	NP	NP	NP	P	P	NP	P	NP	NP	P	P	P	NP
Boat storage	NP	NP	NP	NP	P	P	NP	NP	NP	NP	P	P	P	NP
Commercial boat dock	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	P	NP
Commercial fishing facility	NP	NP	NP	NP	NP	NP	NP	P	NP	NP	P	P	P	NP
Finfish and shellfish processing plant	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	SPU	P	P	NP
Harbor/Port Facility	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	P	NP
Marina	NP	NP	NP	NP	P	NP	NP	P	NP	NP	P	P	P	NP
Marine enforcement facility	NP	NP	NP	NP	P	NP	NP	P	NP	NP	P	P	P	NP

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TABLE 4.3.9.A BUILDING, LOT & BUILDING SITE PRINCIPAL USES

PRINCIPAL USE	CD-3L	CD-3S	CD-3	CD-4	CD-4W	CD-4C	CD-5	CD-5W	SD-H	SD-IC	SD-LI	SD-HI	SD-MC	CV
Marine research laboratory	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	P	NP
Marine supply store	NP	NP	NP	NP	P	NP	NP	P	NP	NP	P	P	P	NP
Recreational boating or fishing facility	NP	NP	NP	NP	P	NP	NP	P	NP	NP	P	P	P	NP
Sail Loft	NP	NP	NP	NP	P	NP	NP	P	NP	NP	NP	NP	P	NP
Ship Chandlery	NP	NP	NP	NP	P	NP	NP	P	NP	NP	P	P	P	NP
Shipyards	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	P	NP
Waterfront Club	SPU	SPU	SPU	SPU	SPU	SPU	SPU	SPU	NP	NP	NP	NP	P	NP
OTHER WATER-DEPENDENT USES NOT SPECIFICALLY LISTED UNDER ANY CATEGORY	NP	NP	NP	NP	P	NP	NP	P	NP	NP	NP	NP	P	NP
<b>AUTOMOTIVE USES</b>														
Indoor & outdoor storage of passenger motor vehicles	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PL	NP	NP	NP
Motor Vehicle Body Shop	NP	NP	NP	NP	NP	SPU	NP	NP	NP	NP	SPU	NP	NP	NP
Motor Vehicle Maintenance, Repair, Fuel Sales, Service or Cleaning	NP	NP	NP	NP	NP	PL	NP	NP	NP	NP	PL	NP	SPU	NP
Motor Vehicle Sales, Rental or Leasing	NP	NP	NP	NP	NP	PL	NP	NP	NP	NP	NP	NP	NP	NP
<b>INDUSTRIAL &amp; UTILITIES</b>														
<b>INDUSTRIAL</b>														
Building Materials Storage Yards	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	<div style="display: flex; flex-direction: column; align-items: center;"> <div style="border: 1px solid black; border-radius: 50%; padding: 2px;">P</div> <div style="font-size: 8px; text-align: center;">&lt;20,000 SF</div> </div>	NP	NP
												<div style="display: flex; flex-direction: column; align-items: center;"> <div style="border: 1px solid black; border-radius: 50%; padding: 2px;">SPU</div> <div style="font-size: 8px; text-align: center;">&gt;20,000 SF</div> </div>		

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PRINCIPAL USE	CD-3L	CD-3S	CD-3	CD-4	CD-4W	CD-4C	CD-5	CD-5W	SD-H	SD-IC	SD-LI	SD-HI	SD-MC	CV
Cannabis Cultivator	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PL	PL	NP	NP
Cannabis Food & Beverage Mfg.	NP	NP	NP	NP	NP	PL	PL	NP	NP	NP	PL	PL	NP	NP
Cannabis Manufacturer	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PL	PL	NP	NP
Cannabis Micro Cultivator	NP	NP	NP	NP	NP	PL	PL	NP	NP	NP	PL	PL	NP	NP
Cannabis Producer	NP	NP	NP	NP	NP	PL	PL	NP	NP	NP	PL	PL	NP	NP
Cannabis Product Packager	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PL	PL	NP	NP
Cannabis Transporter	NP	NP	NP	NP	NP	PL	NP	NP	NP	NP	PL	PL	NP	NP
Commercial Vehicle Storage Yard	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PL	P	NP	NP
Composting Centers	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	SPU	SPU	NP	NP
Concrete plants	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	NP	NP
Distribution (Fulfillment) Facility	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	SPU	NP	NP
Earth Processing and Contractor's Materials Storage Yard	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	SPU	NP	NP
Indoor Contractor Facility	NP	NP	NP	NP	NP	SPU	NP	NP	NP	NP	PL	P	NP	NP
Junkyard	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PL	NP	NP
Manufacturing & Processing, Boutique	NP	NP	NP	SPU	SPU	PL	P	NP	NP	NP	P	P	NP	NP
Manufacturing & Processing, Light	NP	NP	NP	NP	NP	SPU	NP	NP	NP	NP	PL	P	NP	NP
Manufacturing & Processing, Heavy	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	NP	NP
Motor vehicle storage	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	SPU	SPU	NP	NP

**LEGEND** The following notations are utilized in this table.

<sup>1</sup>Special Permit Use also required

\*Permitted by Right with Limitations in Silvermine Tavern Village District Overlay

\*\*Not Permitted in Silvermine Tavern Village District Overlay

<b>P</b> Permitted by Right	<b>PL</b> Permitted by Right with Limitations	<b>SPU</b> Special Permit Use	<b>NP</b> Not Permitted	<b>NR</b> Not Regulated
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# ARTICLE 4: BUILDING & LOT/BUILDING SITE STANDARDS

TABLE 4.3.9.A BUILDING, LOT & BUILDING SITE PRINCIPAL USES

PRINCIPAL USE	CD-3L	CD-3S	CD-3	CD-4	CD-4W	CD-4C	CD-5	CD-5W	SD-H	SD-IC	SD-LI	SD-HI	SD-MC	CV
Natural gas storage	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P <30,000 gal	NP	NP
												SPU >30,000 gal		
Oil or petroleum storage facility	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P <20,000 gal	NP	NP
												SPU >20,000 gal		
Propane gas storage	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	SPU	NP	NP
Recycling Operations	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	SPU	SPU	NP	NP
Research and Development Facility	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP
Rock Crushing/ Processing Facility (Indoor only)	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	SPU	NP	NP
Self-Storage Facility	NP	NP	NP	NP	NP	PL <sup>1</sup>	NP	NP	NP	NP	NP	NP	NP	NP
Solid Waste Transfer Station	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	SPU	NP	NP
Warehouse, storage, and Wholesale Distribution Facilities	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P	NP	NP
<b>UTILITIES</b>														
Municipal Sewage Treatment Facility	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	NP	NP
Municipal Utility Plant or Storage Yard	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	SPU	SPU	NP	NP
Public Utility Supply and Storage	PL <sup>1</sup>	PL <sup>1</sup>	SPU	SPU	SPU	SPU	SPU	SPU	SPU	SPU	SPU	SPU	SPU	SPU
Wireless Telecommunications Facility	SPU	NP	SPU	SPU	SPU	SPU	SPU	SPU	SPU	SPU	SPU	SPU	SPU	SPU

**LEGEND** The following notations are utilized in this table.  
<sup>1</sup>Special Permit Use also required  
<sup>\*</sup>Permitted by Right with Limitations in Silvermine Tavern Village District Overlay  
<sup>\*\*</sup>Not Permitted in Silvermine Tavern Village District Overlay

<b>P</b> Permitted by Right	<b>PL</b> Permitted by Right with Limitations	<b>SPU</b> Special Permit Use	<b>NP</b> Not Permitted	<b>NR</b> Not Regulated
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# ARTICLE 4: BUILDING & LOT/BUILDING SITE STANDARDS

## D. Accessory Uses.

1. Accessory Uses are Permitted by Right ("P"), Permitted by Right with Limitations ("PL"), as Special Permit Uses ("SPU"), or Not Permitted ("NP"), as indicated in **Table 4.3.9.D (Building, Lot & Building Site Accessory Uses)**.
2. Those Uses shown in **Table 4.3.9.D (Building, Lot & Building Site Accessory Uses)** as "P" (Permitted Accessory Use) are permitted in the applicable District, as indicated, if subordinate and customarily incidental to a permitted Principal Use existing on the Lot or Building Site.
3. Those Uses shown in **Table 4.3.9.D (Building, Lot & Building Site Accessory Uses)** as "SPU" (Special Permit Use) are permitted in the applicable District, as indicated, if compliant with all applicable standards, requirements and conditions of Section 4.3.9.F, and subject to issuance of a Special Permit pursuant to Section 8.4.8.
4. Those Uses shown in **Table 4.3.9.D (Building, Lot & Building Site Accessory Uses)** as "PL" (Permitted by Right with Limitations) are permitted
5. In the applicable District, as indicated, if compliant with all applicable standards, requirements and conditions of Section 4.3.9.F.

# ARTICLE 4: BUILDING & LOT/BUILDING SITE STANDARDS

**TABLE 4.3.9.D BUILDING, LOT & BUILDING SITE ACCESSORY USES**

ACCESSORY USE	CD-3L	CD-3S	CD-3	CD-4	CD-4W	CD-4C	CD-5	CD-5W	SD-H	SD-IC	SD-LI	SD-HI	SD-MC	CV
Accessory Dwelling Unit	PL	PL	PL	PL	PL	PL	PL	PL	NP	NP	NP	NP	NP	NP
Automated Parking	NP	NP	NP	NP	NP	NP	SPU	NP	NP	NP	NP	NP	NP	NP
Boathouses, Boat Landings, and Boat Docks (when not conducted as a business)	P	P	P	NP	P	NP	NP	P	NP	NP	NP	NP	P	NP
Boutique Manufacturing	NP	NP	NP	PL	NP	PL	PL	NP	NP	NP	P	P	NP	NP
Cellular Antenna	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL
Commercial Communication Antenna	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL
Drive-Through Facilities	NP	NP	NP	NP	NP	PL	PL	NP	NP	NP	NP	NP	NP	NP
Electric Power Generator	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL
Emergency Communication Antenna	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL
Family Day-Care Home	PL	PL	PL	PL	PL	PL	NP	NP	NP	NP	NP	NP	NP	NP
Garage	P	P	P	P	P	P	P	P	NP	NP	NP	NP	NP	NP
Greenhouse	P	P	P	P	P	P	P	P	NP	NP	P	P	NP	NP
Green Roof	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Group Day-Care Home	NP	NP	NP	P	P	P	NP	NP	NP	NP	NP	NP	NP	NP
Helicopter Landing Site	NP	NP	NP	NP	NP	NP	NP	NP	PL <sup>1</sup>	NP	NP	NP	NP	NP
Home Office, Occupation, or Business	PL	PL	PL	PL	PL	PL	PL	PL	NP	NP	PL	NP	NP	NP

**LEGEND** The following notations are utilized in this table.  
<sup>1</sup>Special Permit Use also required  
<sup>\*</sup>Permitted by Right with Limitations in Silvermine Tavern Village District Overlay  
<sup>\*\*</sup>Not Permitted in Silvermine Tavern Village District Overlay

<b>P</b> Permitted by Right	<b>PL</b> Permitted by Right with Limitations	<b>SPU</b> Special Permit Use	<b>NP</b> Not Permitted	<b>NR</b> Not Regulated
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# ARTICLE 4: BUILDING & LOT/BUILDING SITE STANDARDS

**TABLE 4.3.9.D BUILDING, LOT & BUILDING SITE ACCESSORY USES**

ACCESSORY USE	CD-3L	CD-3S	CD-3	CD-4	CD-4W	CD-4C	CD-5	CD-5W	SD-H	SD-IC	SD-LI	SD-HI	SD-MC	CV
Industrial office and/or showroom space	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PL	PL	NP	NP
Live Music	NP	NP	NP	PL	PL	PL	PL	PL	NP	NP	PL	NP	PL	NP
Municipal Motor Vehicle repair facility as part of municipal off-street public parking facility	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	SPU
Neighborhood Clubhouse	P	P	P	P	P	P	P	NP	NP	NP	NP	NP	NP	NP
Nursery School within Religious Institution	SPU	SPU	SPU	P	P	P	P	P	NP	NP	NP	NP	P	NP
Outdoor Dining	NP	NP	NP	PL	PL	PL	PL	PL	NP	NP	PL	NP	NP	NP
Outdoor Storage	NP	NP	NP	PL	PL	PL	PL	PL	NP	NP	PL	PL	PL	NP
Parking Area	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Parking Structure	NP	NP	NP	P	P	P	P	P	P	NP	P	P	NP	SPU
Retail Sales of goods manufactured, warehoused, or distributed on premises	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	PL	PL	NP	NP
Rooftop Garden	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Solar Panels – Freestanding	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL	P
Solar Panels – Roof Mounted	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL	PL	P
Storage of not more than one commercial vehicle	PL **	PL	PL	PL	PL	PL	PL	NP	NP	NP	NP	NP	NP	NP
Storage of not more than one unregistered vehicle	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP

**LEGEND** The following notations are utilized in this table.

<sup>1</sup>Special Permit Use also required

<sup>2</sup>Permitted by Right with Limitations in Silvermine Tavern Village District Overlay

<sup>3</sup>Not Permitted in Silvermine Tavern Village District Overlay

<b>P</b> Permitted by Right	<b>PL</b> Permitted by Right with Limitations	<b>SPU</b> Special Permit Use	<b>NP</b> Not Permitted	<b>NR</b> Not Regulated
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# ARTICLE 4: BUILDING & LOT/BUILDING SITE STANDARDS

**TABLE 4.3.9.D BUILDING, LOT & BUILDING SITE ACCESSORY USES**

ACCESSORY USE	CD-3L	CD-3S	CD-3	CD-4	CD-4W	CD-4C	CD-5	CD-5W	SD-H	SD-IC	SD-LI	SD-HI	SD-MC	CV
Other Accessory Uses which are incidental to, subordinate to, and customarily associated with a Principal Use	P	P	P	P	P	P	P	P	P	P	P	P	P	P

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**LEGEND** The following notations are utilized in this table.

<sup>1</sup>Special Permit Use also required

\*Permitted by Right with Limitations in Silvermine Tavern Village District Overlay

\*\*Not Permitted in Silvermine Tavern Village District Overlay

<b>P</b> Permitted by Right	<b>PL</b> Permitted by Right with Limitations	<b>SPU</b> Special Permit Use	<b>NP</b> Not Permitted	<b>NR</b> Not Regulated
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# ARTICLE 4: BUILDING & LOT/BUILDING SITE STANDARDS

## E. Temporary Uses

1. Temporary Uses indicated in **Table 4.3.9.E (Building, Lot & Building Site Temporary Uses)** as Permitted (“P”) are allowed by right, subject to the issuance of a Temporary Use Permit.

2. Temporary Uses indicated in **Table 4.3.9.E (Building, Lot & Building Site Temporary Uses)** as Permitted by Right with Limitations (“PL”) are allowed by right provided that the applicable standards and requirements are met, subject to the issuance of a Temporary Use Permit.

3. Temporary Uses indicated in **Table 4.3.9.E (Building, Lot & Building Site Temporary Uses)** as Not Permitted (“NP”), not allowed as Permitted (“P”) or allowed as a Permitted by Right with Limitations (“PL”), or otherwise prohibited by these Regulations are prohibited as Temporary Uses.

**TABLE 4.3.9.E BUILDING & LOT/BUILDING SITE TEMPORARY USES**

TEMPORARY USE	CD-3L	CD-3S	CD-3	CD-4	CD-4W	CD-4C	CD-5	CD-5W	SD-H	SD-IC	SD-LI	SD-HI	SD-MC	CV
Portable Storage Container	PL **	PL	PL	PL	PL	PL	PL	PL	NP	NP	NP	NP	NP	NP
Seasonal Uses or Uses for Unusual Non-Recurrent Events, for no more than 30 days	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Tag/Garage/Yard Sale	PL **	PL	PL	PL	PL	PL	PL	PL	NP	NP	NP	NP	NP	NP

**LEGEND** The following notations are utilized in this table.

\*Special Permit Use also required

\*\*Permitted by Right with Limitations in Silvermine Tavern Village District Overlay

\*\*\*Not Permitted in Silvermine Tavern Village District Overlay

<b>P</b> Permitted by Right	<b>PL</b> Permitted by Right with Limitations	<b>SPU</b> Special Permit Use	<b>NP</b> Not Permitted	<b>NR</b> Not Regulated
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# ARTICLE 4: BUILDING & LOT/BUILDING SITE STANDARDS

## F. Uses Permitted by Right with Limitations.

1. Any Principal Use, Accessory Use, or Temporary Use shown for the applicable District as Permitted by Right with Limitations ("PL") on **Table 4.3.9.A (Building & Lot Principal Uses)**, **Table 4.3.9.D (Building & Lot Accessory Uses)**, or **Table 4.3.9.E (Building & Lot Temporary Uses)**, is allowed subject to compliance with all applicable conditions and requirements imposed by this Section 4.3.9.F.

2. The conditions and requirements applicable to any Use Permitted by Right with Limitations shall be enforceable, and failure to comply with any condition or requirement shall subject such Use Permitted by Right with Limitations to revocation pursuant to Section 8.5.2

3. A Use Permitted by Right with Limitations that is also designated in **Table 4.3.9.A (Building & Lot Principal Uses)**, **Table 4.3.9.D (Building & Lot Accessory Uses)**, or **Table 4.3.9.E (Building & Lot Temporary Uses)** as Special Permit Use also required shall be subject to review, approval, and issuance of a Special Permit pursuant to Section 8.4.8.

4. The following standards shall apply only to those Districts and Uses where the "PL" is designated on the applicable **Table 4.3.9.A (Building, Lot & Building Site Principal Uses)**, **Table 4.3.9.D (Building, Lot & Building Site Accessory Uses)**, or **Table 4.3.9.E (Building, Lot & Building Site Temporary Uses)**, as applicable:

a. **Accessory Dwelling Units** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) The Accessory Dwelling Unit is located on the same Lot as a Single-Family Dwelling;

(2) A property shall be limited to one (1) Accessory Dwelling Unit;

(3) Any proposed detached Accessory Dwelling Units require a Site Plan approval from the Planning and Zoning Commission as indicated in Section 8.4.5.1

(4) The Accessory Dwelling Unit shall not be located closer to the front Lot/Building Site line than the single-family Dwelling;

(5) Shall meet the minimum Side and Rear Setbacks for Principal Structures within the District, except that detached Accessory Buildings in existence prior to the effective date of these Regulations that are within the Side and/or Rear Setback are permitted to be used as an Accessory Dwelling Unit provided that all other standards are met;

(6) The owner of the property must reside on the premises;

(7) The minimum rental duration shall be no less than six (6) months; and

(8) Properties utilizing public sewer and/or water shall be subject to approval by the Norwalk WPCA and the local water authority. Properties utilizing private water and/or septic systems shall be subject to approval by the Norwalk Health Department; and

(9) The maximum height of a detached Accessory Dwelling Unit shall be fifteen (15) feet when located less than twenty (20) feet from a Side and Rear Lot/Building Site line, or twenty (20) feet when located more than twenty (20) feet from a Side and Rear Lot/Building Site line; and

(10) Attached Accessory Dwelling Units shall not exceed 1,000 square feet in floor area; and

(11) Detached Accessory Dwelling Units shall not exceed 700 square feet; and

(12) Attached and detached Accessory Dwelling Units shall not exceed seven hundred (700) square feet in floor area; and



## ARTICLE 4: BUILDING & LOT/BUILDING SITE STANDARDS

(13) An Accessory Dwelling Unit, whether attached or detached, shall be designed to maintain the architectural design, style, and appearance of the existing single-family Dwelling located on the property; and

(14) All Accessory Dwelling Units must be located on and affixed to a permanent foundation; and

(15) Mobile homes, recreational vehicles, travel trailers, shipping containers, storage containers and any other wheeled or transportable Structures shall not be used as an Accessory Dwelling Unit; and

(16) Three (3) off-street Parking spaces shall be provided: two (2) spaces per Principal dwelling and one (1) space per Accessory Dwelling Unit. Such Parking shall comply with Section 4.3.12; and

(17) Applications for Accessory Dwelling Units shall be subject to approval by the Planning and Zoning Director; and

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

**b. Adult Use Establishment** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) No Adult Use Establishment shall be allowed within one thousand (1,000) feet of another existing Adult Use Establishment. The one thousand (1,000) feet shall be measured as a straight airline distance, without regard to intervening terrain or the actual means of travel between the two (2) points, from the entrance of the proposed Adult Use Establishment to the Lot/Building Site line of an existing Adult Use Establishment, as certified by a licensed

surveyor;

(2) No Adult Use Establishment shall be located within five hundred (500) feet of an existing place of worship, school or community center. The five hundred (500) feet shall be measured as a straight airline distance, without regard to intervening terrain or the actual means of travel between the two points, from the entrance of the proposed Adult Use Establishment to the Lot/Building Site line with an existing place of worship, school or community center, as certified by a licensed surveyor;

(3) No Adult Use Establishment shall be located within two hundred (200) feet of a residence zone. The two hundred (200) feet shall be measured as a straight airline distance, without regard to intervening terrain or the actual means of travel between the two points, from the entrance of the proposed Adult Use Establishment to the boundary of the residence zone;

(4) No Adult Use Establishment shall be conducted in any manner that permits the observation from any public right-of-way of any material depicting, describing or relating to the adult use activities or products located therein, specifically those activities or products in the adult use definition; and

(5) Shall require approval of a Special Permit pursuant to Section 8.4.8.

**c. Amphitheater (Civic)** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) It shall comply with the City of Norwalk Noise Control Ordinance;

(2) The traffic generated by such facility shall be safely accommodated along major streets without traversing local minor streets; and

(3) Access to such facility shall be by a

## ARTICLE 4: BUILDING & LOT/BUILDING SITE STANDARDS

paved public major arterial or major collector street. Traffic shall not be directed through Residentially zoned or Residentially used property, through areas that are Adjacent to Residentially zoned or Residentially used property, or on minor Residential streets traversing Residentially zoned or Residentially used property areas or areas that are Adjacent thereto; and

(4) Any lighting provided at such facilities shall be designed so that no direct light falls on Adjacent Residential property.

**d. Amphitheater (Commercial)** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) It shall comply with the City of Norwalk Noise Control Ordinance;

(2) The traffic generated by such facility shall be safely accommodated along major streets without traversing local minor streets; and

(3) Access to such facility shall be by a paved public major arterial or major collector street. Traffic shall not be directed through Residentially zoned or Residentially used property, through areas that are Adjacent to Residentially zoned or Residentially used property, or on minor Residential streets traversing Residentially zoned or Residentially used property areas or areas that are Adjacent thereto; and

(4) Any lighting provided at such facilities shall be designed so that no direct light falls on Adjacent Residential property.

**e. Animal Care Center** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) It shall be fully enclosed within a Structure located on a lot a minimum of two (2) acres in size;

(2) The Structure is located a minimum of

two hundred (200) feet from a Residential Structure as certified by a licensed surveyor;

(3) That adequate provisions are made to control noise and odors emanating from the facility; and

(4) Shall require approval of a Special Permit pursuant to Section 8.4.8.

**f. Artist Live/Work** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) They are part of a rehabilitation, preservation or addition to an existing Structure listed on a local, state or national historic inventory;

(2) The Commission shall refer the Application to the Arts Commission for review and consideration. If the Arts Commission does not endorse the Application, a 2/3 majority vote of the Planning and Zoning Commission is required for approval;

(3) Each unit is consistent with the provisions of the Housing Code, Fire Marshal Code and Building Code;

(4) Units are at least seven hundred fifty (750) square feet in size;

(5) Retail sales of art produced on-site that does not take place more than twelve (12) hours per week as an allowable Accessory Use;

(6) Artist Live/Work spaces are subject to Workforce Housing requirements in accordance with Section 6.12.

(7) The Use, including storage of materials or products, shall occur only within an enclosed Building;

(8) All noise, vibration, smoke, dust or other particulate matter, heat, humidity, glare or other effect shall comply with City standards relating to noise, light, dust and odors; and

# ARTICLE 4: BUILDING & LOT/BUILDING SITE STANDARDS

(9) Shall require approval of a Special Permit pursuant to Section 8.4.8.

**g. Auditorium, Community Center or other Place Of Assembly** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) The locations, size and design of such facilities shall be situated so that the proposed Development shall be compatible with the Development within the surrounding area thus reducing the impact upon the surrounding area;

(2) The traffic generated by such facility shall be safely accommodated along major streets without traversing local minor streets; and

(3) Access to such facility shall be by a paved public major arterial or major collector street. Traffic shall not be directed through Residentially zoned or Residentially used property, through areas that are Adjacent to Residentially zoned or Residentially used property, or on minor Residential streets traversing Residentially zoned or Residentially used property areas or areas that are Adjacent thereto;

(4) Any lighting provided at such facilities shall be designed so that no direct light falls on Adjacent Residential property; and

(5) Accessory Uses may be permitted in conjunction with the Principal Use of the property provided that such uses are physically designed as a part of or within the Principal Structure. Such Uses may include food sales, beverage sales, gift or souvenir shops, and similar activities.

**h. Automobile Trailer Park** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) No new Automobile Trailer Parks are permitted. Any expansion or alteration of an existing Automobile Trailer Park, shall require

approval of a Special Permit pursuant to Section 8.4.8.

**i. Boutique Manufacturing (Accessory Use)** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) Boutique manufacturing shall be allowed as an Accessory Use to a permitted retail Use, subject to compliance with the following requirements:

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

(b) All manufacturing activity, including the storage of all equipment, materials and products, shall occur inside the Building; no outside storage of any kind is permitted; and

(c) Only manufacturing processes that are not offensive with regard to noise, light, dust and odors, and which have the same or lesser impact than the Principal retail Use are permitted; and

(d) The manufacturing activity shall occupy an area of no more than sixty percent (60%) of the gross floor area occupied by the associated retail establishment; and

(e) The manufacturing process is principally artisan or fabrication by hand, and shall not include mass production or assembly line operations; and

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

**j. Business Service Establishment** shall be permitted in accordance with the applicable Use Table, subject to the following:

## ARTICLE 4: BUILDING & LOT/BUILDING SITE STANDARDS

(1) The Use shall be limited to 8,000 sf or if greater than 8,000 sf shall require approval of a Special Permit pursuant to Section 8.4.8.

**k. Cannabis Cultivator** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) All Connecticut State regulations and laws, including all State licensing requirements, shall be adhered to and form the basis for local regulation of Cannabis Establishments.

(2) No cannabis shall be applied, ingested, or consumed inside the premise of a Cannabis Establishment.

(3) Only one (1) Cannabis Establishment shall be located within a facility.

(4) Cannabis Establishments shall be permitted as principal uses and allowed as an accessory use to any other permitted or special permit use.

(5) Refuse areas for Cannabis Establishments shall be screened from view and shall be locked to prevent unauthorized access.

(6) All signage shall comply with Article 7 of these Regulations and the requirements of the State of Connecticut Department of Consumer Protection, as amended.

(7) Prior to issuance of a Zoning Permit for a Cannabis Establishment, a copy of the final Cannabis Establishment license for the Cannabis Establishment use issued to the applicant by the State of Connecticut Commissioner of the Department of Consumer Protection or other department or licensor as may be sanctioned by the State of Connecticut shall be provided to the Planning and Zoning Director. The applicant for the Cannabis Establishment use shall be the licensee.

(8) If there is a change in operator or licensee, the new operator or licensee shall provide the new State license to the Commission.

(9) The City in approving any Cannabis Establishment may impose such reasonable conditions as will ensure compliance with these Regulations.

(10) No variance shall be granted to allow a Cannabis Establishment in any other zoning district.

(11) No waiver to site plan requirements shall be allowed for any Cannabis Establishment.

(12) All applications must include a copy of the provisional license for the Cannabis Establishment use issued by the State of Connecticut Department of Consumer Protection.

(13) A written security plan to ensure the contents of the building are secured, which such plan shall also be reviewed and approved by the Chief of Police or their designee. All security plans shall include information on vaults for the safe keeping of cannabis product and provisions for the installation of video cameras. Outdoor audible alarms are required for all Cannabis Establishments. Alarm systems are subject to the provisions of Chapter 68-5 of the Code of Ordinances, as amended.

(14) Off-street loading spaces for cannabis establishments shall comply with Section 4.3.14 of these Regulations.

(15) Said facilities comply with all applicable Site Plan and/or Special Permit standards of these regulations.

(16) Cultivators, Food and Beverage Manufacturers, Micro Cultivators, Packagers and Producers shall be considered a manufacturing use for the purpose of calculating the required number of off-street parking spaces pursuant to these Regulations.

(17) A written odor abatement program describing all odor control and abatement measures installed on the site and within the

## ARTICLE 4: BUILDING & LOT/BUILDING SITE STANDARDS

structure to ensure that cannabis odors do not emanate from the proposed facility.

**I. Cannabis Delivery Service** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) All Connecticut State regulations and laws, including all State licensing requirements, shall be adhered to and form the basis for local regulation of Cannabis Establishments.

(2) No cannabis shall be applied, ingested, or consumed inside the premise of a Cannabis Establishment.

(3) Only one (1) Cannabis Establishment shall be located within a facility.

(4) Cannabis Establishments shall be permitted as principal uses and allowed as an accessory use to any other permitted or special permit use.

(5) Refuse areas for Cannabis Establishments shall be screened from view and shall be locked to prevent unauthorized access.

(6) All signage shall comply with Article 7 of these Regulations and the requirements of the State of Connecticut Department of Consumer Protection, as amended.

(7) Prior to issuance of a Zoning Permit for a Cannabis Establishment, a copy of the final Cannabis Establishment license for the Cannabis Establishment use issued to the applicant by the State of Connecticut Commissioner of the Department of Consumer Protection or other department or licensor as may be sanctioned by the State of Connecticut shall be provided to the Planning and Zoning Director. The applicant for the Cannabis Establishment use shall be the licensee.

(8) If there is a change in operator or licensee, the new operator or licensee shall provide the new State license to the Commission.

(9) The City in approving any Cannabis Establishment may impose such reasonable conditions as will ensure compliance with these Regulations.

(10) No variance shall be granted to allow a Cannabis Establishment in any other zoning district.

(11) No waiver to site plan requirements shall be allowed for any Cannabis Establishment.

(12) All applications must include a copy of the provisional license for the Cannabis Establishment use issued by the State of Connecticut Department of Consumer Protection.

(13) A written security plan to ensure the contents of the building are secured, which such plan shall also be reviewed and approved by the Chief of Police or their designee. All security plans shall include information on vaults for the safe keeping of cannabis product and provisions for the installation of video cameras. Outdoor audible alarms are required for all Cannabis Establishments. Alarm systems are subject to the provisions of Chapter 68-5 of the Code of Ordinances, as amended.

(14) Off-street loading spaces for cannabis establishments shall comply with Section 4.3.14 of these Regulations.

(15) Delivery Services and Transporters located within an industrial zone shall be permitted and subject to the same conditions as Commercial Vehicle parking.

(16) Said facilities comply with all applicable Site Plan standards of these regulations.

(17) Delivery Services and Transporters shall be considered a warehousing use for the purpose of calculating the required number of off-street parking spaces pursuant to these Regulations.



## ARTICLE 4: BUILDING & LOT/BUILDING SITE STANDARDS

**m. Cannabis Dispensary Facility** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) All Connecticut State regulations and laws, including all State licensing requirements, shall be adhered to and form the basis for local regulation of Cannabis Establishments.

(2) No cannabis shall be applied, ingested, or consumed inside the premise of a Cannabis Establishment.

(3) Only one (1) Cannabis Establishment shall be located within a facility.

(4) Cannabis Establishments shall be permitted as principal uses and allowed as an accessory use to any other permitted or special permit use.

(5) Refuse areas for Cannabis Establishments shall be screened from view and shall be locked to prevent unauthorized access.

(6) All signage shall comply with Article 7 of these Regulations and the requirements of the State of Connecticut Department of Consumer Protection, as amended.

(7) Prior to issuance of a Zoning Permit for a Cannabis Establishment, a copy of the final Cannabis Establishment license for the Cannabis Establishment use issued to the applicant by the State of Connecticut Commissioner of the Department of Consumer Protection or other department or licensor as may be sanctioned by the State of Connecticut shall be provided to the Planning and Zoning Director. The applicant for the Cannabis Establishment use shall be the licensee.

(8) If there is a change in operator or licensee, the new operator or licensee shall provide the new State license to the Commission.

(9) The City in approving any Cannabis Establishment may impose such reasonable conditions as will ensure compliance with these Regulations.

(10) No variance shall be granted to allow a Cannabis Establishment in any other zoning district.

(11) No waiver to site plan requirements shall be allowed for any Cannabis Establishment.

(12) All applications must include a copy of the provisional license for the Cannabis Establishment use issued by the State of Connecticut Department of Consumer Protection.

(13) A written security plan to ensure the contents of the building are secured, which such plan shall also be reviewed and approved by the Chief of Police or their designee. All security plans shall include information on vaults for the safe keeping of cannabis product and provisions for the installation of video cameras. Outdoor audible alarms are required for all Cannabis Establishments. Alarm systems are subject to the provisions of Chapter 68-5 of the Code of Ordinances, as amended.

(14) Off-street loading spaces for cannabis establishments shall comply with Section 4.3.14 of these Regulations.

(15) Within the City, there shall be a maximum of

(a) Three (3) Retailers; or

(b.) Three (3) Hybrid Retailers; or

(c.) Two (2) Retailers and one (1) Hybrid Retailer; or

(d.) One (1) Retailer and two (2) Hybrid Retailers.

(16) Said facilities shall be located and accessed from a collector or arterial street.

(17) Said facilities shall be located on a parcel that meets the minimum lot standards for the zone.

## ARTICLE 4: BUILDING & LOT/BUILDING SITE STANDARDS

(18) Said facilities comply with all applicable Special Permit standards pursuant to Section 8.4.8. of these regulations.

(19) Retailers, Dispensary Facilities and Hybrid Retailers shall be considered a retail use for the purpose of calculating the required number of off-street parking spaces pursuant to these Regulations.

(20) Dispensary Facilities, Hybrid Retailers, and Retailers shall operate only between the hours of Monday through Saturday 9:00 AM to 8:00 PM, and on Sundays from 9:00 AM to 5:00 PM.

(21) No Dispensary Facilities, Hybrid Retailer, or Retailer shall be located within one-thousand (1,000) feet of a child day care center, nursery/pre-kindergarten, kindergarten, elementary or secondary school, college or university, or within five hundred (500) feet of any charitable institution, including any offices thereof, whether supported by public or private funds, healthcare facility, municipal building used for public gathering (City Hall, libraries, concert halls, etc.), public park, public recreation area, licensed adult day care center, dependency treatment center, shelter for the homeless, transitional housing facility, or place of worship. The distance shall be measured in a straight line from the nearest legal parcel boundary line of the land used for said purpose to the main pedestrian entrance of the cannabis hybrid retailer or cannabis retailer. To comply with the distance restrictions in this section, the applicant shall submit an area plan showing the location of the proposed Dispensary Facility, Hybrid Retailer or Retailer, indicating the name and address of any of the uses to which said distance restrictions apply. The area plan shall also include the name, address, and seal of the individual or firm preparing said plan; north point or arrow; graphic scale; and intervening lot lines, roads, driveways, and intersections in sufficient detail for orientation to the area, and any additional information deemed

necessary by the Commission to determine compliance with this section. The area plan shall be prepared, signed and sealed by a land surveyor licensed and registered in the State of Connecticut, at a scale of 1" equals 60' or smaller (1"=>60') and drawn in accordance with an applicable Class A-2 Survey which complies with the 1976 code adopted by the CT Association of Land Surveyors, as amended. Area plans shall be drawn on standard sheet sizes of 24"x36" unless otherwise authorized by the Planning and Zoning Department prior to submission

(22) No lot, upon which contains a Dispensary Facility, Hybrid Retailer, or Retailer, shall be closer than one (1) mile from another lot, which contains a Dispensary Facility, Hybrid Retailer, or Retailer. The distance shall be measured in a straight line from the nearest legal parcel boundary line of one lot to the nearest legal parcel boundary line of the other lot.

(23) For up to thirty days after the opening of a Retailer or Hybrid Retailer, the Commission may require the applicant reimburse the City for reasonable costs incurred for the provision of public safety services in relation to the grand opening of the facility, including, but not limited to, public safety costs incurred to direct traffic, not to exceed fifty thousand dollars.

**n. Cannabis Food & Beverage Mfg.** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) All Connecticut State regulations and laws, including all State licensing requirements, shall be adhered to and form the basis for local regulation of Cannabis Establishments.

(2) No cannabis shall be applied, ingested, or consumed inside the premise of a Cannabis Establishment.

(3) Only one (1) Cannabis Establishment shall be located within a facility.

## ARTICLE 4: BUILDING & LOT/BUILDING SITE STANDARDS

(4) Cannabis Establishments shall be permitted as principal uses and allowed as an accessory use to any other permitted or special permit use.

(5) Refuse areas for Cannabis Establishments shall be screened from view and shall be locked to prevent unauthorized access.

(6) All signage shall comply with Article 7 of these Regulations and the requirements of the State of Connecticut Department of Consumer Protection, as amended.

(7) Prior to issuance of a Zoning Permit for a Cannabis Establishment, a copy of the final Cannabis Establishment license for the Cannabis Establishment use issued to the applicant by the State of Connecticut Commissioner of the Department of Consumer Protection or other department or licensor as may be sanctioned by the State of Connecticut shall be provided to the Planning and Zoning Director. The applicant for the Cannabis Establishment use shall be the licensee.

(8) If there is a change in operator or licensee, the new operator or licensee shall provide the new State license to the Commission.

(9) The City in approving any Cannabis Establishment may impose such reasonable conditions as will ensure compliance with these Regulations.

(10) No variance shall be granted to allow a Cannabis Establishment in any other zoning district.

(11) No waiver to site plan requirements shall be allowed for any Cannabis Establishment.

(12) All applications must include a copy of the provisional license for the Cannabis Establishment use issued by the State of Connecticut Department of Consumer Protection.

(13) A written security plan to ensure the contents of the building are secured, which such plan shall also be reviewed and approved by the Chief of Police or their designee. All security plans shall include information on vaults for the safe keeping of cannabis product and provisions for the installation of video cameras. Outdoor audible alarms are required for all Cannabis Establishments. Alarm systems are subject to the provisions of Chapter 68-5 of the Code of Ordinances, as amended.

(14) Off-street loading spaces for cannabis establishments shall comply with Section 4.3.14 of these Regulations.

(15) Said facilities comply with all applicable Site Plan and/or Special Permit standards of these regulations.

(16) Cultivators, Food and Beverage Manufacturers, Micro Cultivators, Packagers and Producers shall be considered a manufacturing use for the purpose of calculating the required number of off-street parking spaces pursuant to these Regulations.

(17) A written odor abatement program describing all odor control and abatement measures installed on the site and within the structure to ensure that cannabis odors do not emanate from the proposed facility.

**o. Cannabis Hybrid Retailer** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) All Connecticut State regulations and laws, including all State licensing requirements, shall be adhered to and form the basis for local regulation of Cannabis Establishments.

(2) No cannabis shall be applied, ingested, or consumed inside the premise of a Cannabis Establishment.

(3) Only one (1) Cannabis Establishment shall be located within a facility.



## ARTICLE 4: BUILDING & LOT/BUILDING SITE STANDARDS

(4) Cannabis Establishments shall be permitted as principal uses and allowed as an accessory use to any other permitted or special permit use.

(5) Refuse areas for Cannabis Establishments shall be screened from view and shall be locked to prevent unauthorized access.

(6) All signage shall comply with Article 7 of these Regulations and the requirements of the State of Connecticut Department of Consumer Protection, as amended.

(7) Prior to issuance of a Zoning Permit for a Cannabis Establishment, a copy of the final Cannabis Establishment license for the Cannabis Establishment use issued to the applicant by the State of Connecticut Commissioner of the Department of Consumer Protection or other department or licensor as may be sanctioned by the State of Connecticut shall be provided to the Planning and Zoning Director. The applicant for the Cannabis Establishment use shall be the licensee.

(8) If there is a change in operator or licensee, the new operator or licensee shall provide the new State license to the Commission.

(9) The City in approving any Cannabis Establishment may impose such reasonable conditions as will ensure compliance with these Regulations.

(10) No variance shall be granted to allow a Cannabis Establishment in any other zoning district.

(11) No waiver to site plan requirements shall be allowed for any Cannabis Establishment.

(12) All applications must include a copy of the provisional license for the Cannabis Establishment use issued by the State of Connecticut Department of Consumer Protection.

(13) A written security plan to ensure the

contents of the building are secured, which such plan shall also be reviewed and approved by the Chief of Police or their designee. All security plans shall include information on vaults for the safe keeping of cannabis product and provisions for the installation of video cameras. Outdoor audible alarms are required for all Cannabis Establishments. Alarm systems are subject to the provisions of Chapter 68-5 of the Code of Ordinances, as amended.

(14) Off-street loading spaces for cannabis establishments shall comply with Section 4.3.14 of these Regulations.

(15) Within the City, there shall be a maximum of

(a) Three (3) Retailers; or

(b.) Three (3) Hybrid Retailers; or

(c.) Two (2) Retailers and one (1) Hybrid Retailer; or

(d.) One (1) Retailer and two (2) Hybrid Retailers.

(16) Said facilities shall be located and accessed from a collector or arterial street.

(17) Said facilities shall be located on a parcel that meets the minimum lot standards for the zone.

(18) Said facilities comply with all applicable Special Permit standards pursuant to Section 8.4.8 of these regulations.

(19) Retailers, Dispensary Facilities and Hybrid Retailers shall be considered a retail use for the purpose of calculating the required number of off-street parking spaces pursuant to these Regulations.

(20) Dispensary Facilities, Hybrid Retailers, and Retailers shall operate only between the hours of Monday through Saturday 9:00 AM to 8:00 PM, and on Sundays from 9:00 AM to 5:00 PM.

## ARTICLE 4: BUILDING & LOT/BUILDING SITE STANDARDS

(21) No Dispensary Facilities, Hybrid Retailer, or Retailer shall be located within one-thousand (1,000) feet of a child day care center, nursery/pre-kindergarten, kindergarten, elementary or secondary school, college or university, or within five hundred (500) feet of any charitable institution, including any offices thereof, whether supported by public or private funds, healthcare facility, municipal building used for public gathering (City Hall, libraries, concert halls, etc.), public park, public recreation area, licensed adult day care center, dependency treatment center, shelter for the homeless, transitional housing facility, or place of worship. The distance shall be measured in a straight line from the nearest legal parcel boundary line of the land used for said purpose to the main pedestrian entrance of the cannabis hybrid retailer or cannabis retailer. To comply with the distance restrictions in this section, the applicant shall submit an area plan showing the location of the proposed Dispensary Facility, Hybrid Retailer or Retailer, indicating the name and address of any of the uses to which said distance restrictions apply. The area plan shall also include the name, address, and seal of the individual or firm preparing said plan; north point or arrow; graphic scale; and intervening lot lines, roads, driveways, and intersections in sufficient detail for orientation to the area, and any additional information deemed necessary by the Commission to determine compliance with this section. The area plan shall be prepared, signed and sealed by a land surveyor licensed and registered in the State of Connecticut, at a scale of 1" equals 60' or smaller (1"=>60') and drawn in accordance with an applicable Class A-2 Survey which complies with the 1976 code adopted by the CT Association of Land Surveyors, as amended. Area plans shall be drawn on standard sheet sizes of 24"x36" unless otherwise authorized by the Planning and Zoning Department prior to submission

(22) No lot, upon which contains a Dispensary

Facility, Hybrid Retailer, or Retailer, shall be closer than one (1) mile from another lot, which contains a Dispensary Facility, Hybrid Retailer, or Retailer. The distance shall be measured in a straight line from the nearest legal parcel boundary line of one lot to the nearest legal parcel boundary line of the other lot.

(23) For up to thirty days after the opening of a Retailer or Hybrid Retailer, the Commission may require the applicant reimburse the City for reasonable costs incurred for the provision of public safety services in relation to the grand opening of the facility, including, but not limited to, public safety costs incurred to direct traffic, not to exceed fifty thousand dollars.

**p. Cannabis Manufacturer** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) All Connecticut State regulations and laws, including all State licensing requirements, shall be adhered to and form the basis for local regulation of Cannabis Establishments.

(2) No cannabis shall be applied, ingested, or consumed inside the premise of a Cannabis Establishment.

(3) Only one (1) Cannabis Establishment shall be located within a facility.

(4) Cannabis Establishments shall be permitted as principal uses and allowed as an accessory use to any other permitted or special permit use.

(5) Refuse areas for Cannabis Establishments shall be screened from view and shall be locked to prevent unauthorized access.

(6) All signage shall comply with Article 7 of these Regulations and the requirements of the State of Connecticut Department of Consumer Protection, as amended.

(7) Prior to issuance of a Zoning Permit for a Cannabis Establishment, a copy of the

# ARTICLE 4: BUILDING & LOT/BUILDING SITE STANDARDS

final Cannabis Establishment license for the Cannabis Establishment use issued to the applicant by the State of Connecticut Commissioner of the Department of Consumer Protection or other department or licenser as may be sanctioned by the State of Connecticut shall be provided to the Planning and Zoning Director. The applicant for the Cannabis Establishment use shall be the licensee.

(8) If there is a change in operator or licensee, the new operator or licensee shall provide the new State license to the Commission.

(9) The City in approving any Cannabis Establishment may impose such reasonable conditions as will ensure compliance with these Regulations.

(10) No variance shall be granted to allow a Cannabis Establishment in any other zoning district.

(11) No waiver to site plan requirements shall be allowed for any Cannabis Establishment.

(12) All applications must include a copy of the provisional license for the Cannabis Establishment use issued by the State of Connecticut Department of Consumer Protection.

(13) A written security plan to ensure the contents of the building are secured, which such plan shall also be reviewed and approved by the Chief of Police or their designee. All security plans shall include information on vaults for the safe keeping of cannabis product and provisions for the installation of video cameras. Outdoor audible alarms are required for all Cannabis Establishments. Alarm systems are subject to the provisions of Chapter 68-5 of the Code of Ordinances, as amended.

(14) Off-street loading spaces for cannabis establishments shall comply with Section 4.3.14 of these Regulations.

(15) Said facilities comply with all applicable Site Plan and/or Special Permit standards of these regulations.

(16) Cultivators, Food and Beverage Manufacturers, Micro Cultivators, Packagers and Producers shall be considered a manufacturing use for the purpose of calculating the required number of off-street parking spaces pursuant to these Regulations.

(17) A written odor abatement program describing all odor control and abatement measures installed on the site and within the structure to ensure that cannabis odors do not emanate from the proposed facility.

**q. Cannabis Micro Cultivator** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) All Connecticut State regulations and laws, including all State licensing requirements, shall be adhered to and form the basis for local regulation of Cannabis Establishments.

(2) No cannabis shall be applied, ingested, or consumed inside the premise of a Cannabis Establishment.

(3) Only one (1) Cannabis Establishment shall be located within a facility.

(4) Cannabis Establishments shall be permitted as principal uses and allowed as an accessory use to any other permitted or special permit use.

(5) Refuse areas for Cannabis Establishments shall be screened from view and shall be locked to prevent unauthorized access.

(6) All signage shall comply with Article 7 of these Regulations and the requirements of the State of Connecticut Department of Consumer Protection, as amended.

(7) Prior to issuance of a Zoning Permit for a Cannabis Establishment, a copy of the

## ARTICLE 4: BUILDING & LOT/BUILDING SITE STANDARDS

final Cannabis Establishment license for the Cannabis Establishment use issued to the applicant by the State of Connecticut Commissioner of the Department of Consumer Protection or other department or licenser as may be sanctioned by the State of Connecticut shall be provided to the Planning and Zoning Director. The applicant for the Cannabis Establishment use shall be the licensee.

(8) If there is a change in operator or licensee, the new operator or licensee shall provide the new State license to the Commission.

(9) The City in approving any Cannabis Establishment may impose such reasonable conditions as will ensure compliance with these Regulations.

(10) No variance shall be granted to allow a Cannabis Establishment in any other zoning district.

(11) No waiver to site plan requirements shall be allowed for any Cannabis Establishment.

(12) All applications must include a copy of the provisional license for the Cannabis Establishment use issued by the State of Connecticut Department of Consumer Protection.

(13) A written security plan to ensure the contents of the building are secured, which such plan shall also be reviewed and approved by the Chief of Police or their designee. All security plans shall include information on vaults for the safe keeping of cannabis product and provisions for the installation of video cameras. Outdoor audible alarms are required for all Cannabis Establishments. Alarm systems are subject to the provisions of Chapter 68-5 of the Code of Ordinances, as amended.

(14) Off-street loading spaces for cannabis establishments shall comply with Section 4.3.14 of these Regulations.

(15) Said facilities comply with all applicable Site Plan and/or Special Permit standards of these regulations.

(16) Cultivators, Food and Beverage Manufacturers, Micro Cultivators, Packagers and Producers shall be considered a manufacturing use for the purpose of calculating the required number of off-street parking spaces pursuant to these Regulations.

(17) A written odor abatement program describing all odor control and abatement measures installed on the site and within the structure to ensure that cannabis odors do not emanate from the proposed facility.

**r. Cannabis Producer** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) All Connecticut State regulations and laws, including all State licensing requirements, shall be adhered to and form the basis for local regulation of Cannabis Establishments.

(2) No cannabis shall be applied, ingested, or consumed inside the premise of a Cannabis Establishment.

(3) Only one (1) Cannabis Establishment shall be located within a facility.

(4) Cannabis Establishments shall be permitted as principal uses and allowed as an accessory use to any other permitted or special permit use.

(5) Refuse areas for Cannabis Establishments shall be screened from view and shall be locked to prevent unauthorized access.

(6) All signage shall comply with Article 7 of these Regulations and the requirements of the State of Connecticut Department of Consumer Protection, as amended.

(7) Prior to issuance of a Zoning Permit for a Cannabis Establishment, a copy of the

## ARTICLE 4: BUILDING & LOT/BUILDING SITE STANDARDS

final Cannabis Establishment license for the Cannabis Establishment use issued to the applicant by the State of Connecticut Commissioner of the Department of Consumer Protection or other department or licenser as may be sanctioned by the State of Connecticut shall be provided to the Planning and Zoning Director. The applicant for the Cannabis Establishment use shall be the licensee.

(8) If there is a change in operator or licensee, the new operator or licensee shall provide the new State license to the Commission.

(9) The City in approving any Cannabis Establishment may impose such reasonable conditions as will ensure compliance with these Regulations.

(10) No variance shall be granted to allow a Cannabis Establishment in any other zoning district.

(11) No waiver to site plan requirements shall be allowed for any Cannabis Establishment.

(12) All applications must include a copy of the provisional license for the Cannabis Establishment use issued by the State of Connecticut Department of Consumer Protection.

(13) A written security plan to ensure the contents of the building are secured, which such plan shall also be reviewed and approved by the Chief of Police or their designee. All security plans shall include information on vaults for the safe keeping of cannabis product and provisions for the installation of video cameras. Outdoor audible alarms are required for all Cannabis Establishments. Alarm systems are subject to the provisions of Chapter 68-5 of the Code of Ordinances, as amended.

(14) Off-street loading spaces for cannabis establishments shall comply with Section 4.3.14 of these Regulations.

(15) Said facilities comply with all applicable Site Plan and/or Special Permit standards of these regulations.

(16) Cultivators, Food and Beverage Manufacturers, Micro Cultivators, Packagers and Producers shall be considered a manufacturing use for the purpose of calculating the required number of off-street parking spaces pursuant to these Regulations.

(17) A written odor abatement program describing all odor control and abatement measures installed on the site and within the structure to ensure that cannabis odors do not emanate from the proposed facility.

**s. Cannabis Product Packager** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) All Connecticut State regulations and laws, including all State licensing requirements, shall be adhered to and form the basis for local regulation of Cannabis Establishments.

(2) No cannabis shall be applied, ingested, or consumed inside the premise of a Cannabis Establishment.

(3) Only one (1) Cannabis Establishment shall be located within a facility.

(4) Cannabis Establishments shall be permitted as principal uses and allowed as an accessory use to any other permitted or special permit use.

(5) Refuse areas for Cannabis Establishments shall be screened from view and shall be locked to prevent unauthorized access.

(6) All signage shall comply with Article 7 of these Regulations and the requirements of the State of Connecticut Department of Consumer Protection, as amended.

(7) Prior to issuance of a Zoning Permit for a Cannabis Establishment, a copy of the



## ARTICLE 4: BUILDING & LOT/BUILDING SITE STANDARDS

final Cannabis Establishment license for the Cannabis Establishment use issued to the applicant by the State of Connecticut Commissioner of the Department of Consumer Protection or other department or licenser as may be sanctioned by the State of Connecticut shall be provided to the Planning and Zoning Director. The applicant for the Cannabis Establishment use shall be the licensee.

(8) If there is a change in operator or licensee, the new operator or licensee shall provide the new State license to the Commission.

(9) The City in approving any Cannabis Establishment may impose such reasonable conditions as will ensure compliance with these Regulations.

(10) No variance shall be granted to allow a Cannabis Establishment in any other zoning district.

(11) No waiver to site plan requirements shall be allowed for any Cannabis Establishment.

(12) All applications must include a copy of the provisional license for the Cannabis Establishment use issued by the State of Connecticut Department of Consumer Protection.

(13) A written security plan to ensure the contents of the building are secured, which such plan shall also be reviewed and approved by the Chief of Police or their designee. All security plans shall include information on vaults for the safe keeping of cannabis product and provisions for the installation of video cameras. Outdoor audible alarms are required for all Cannabis Establishments. Alarm systems are subject to the provisions of Chapter 68-5 of the Code of Ordinances, as amended.

(14) Off-street loading spaces for cannabis establishments shall comply with Section 4.3.14 of these Regulations.

(15) Said facilities comply with all applicable Site Plan and/or Special Permit standards of these regulations.

(16) Cultivators, Food and Beverage Manufacturers, Micro Cultivators, Packagers and Producers shall be considered a manufacturing use for the purpose of calculating the required number of off-street parking spaces pursuant to these Regulations.

(17) A written odor abatement program describing all odor control and abatement measures installed on the site and within the structure to ensure that cannabis odors do not emanate from the proposed facility.

**t. Cannabis Retailer** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) All Connecticut State regulations and laws, including all State licensing requirements, shall be adhered to and form the basis for local regulation of Cannabis Establishments.

(2) No cannabis shall be applied, ingested, or consumed inside the premise of a Cannabis Establishment.

(3) Only one (1) Cannabis Establishment shall be located within a facility.

(4) Cannabis Establishments shall be permitted as principal uses and allowed as an accessory use to any other permitted or special permit use.

(5) Refuse areas for Cannabis Establishments shall be screened from view and shall be locked to prevent unauthorized access.

(6) All signage shall comply with Article 7 of these Regulations and the requirements of the State of Connecticut Department of Consumer Protection, as amended.

(7) Prior to issuance of a Zoning Permit for a Cannabis Establishment, a copy of the

## ARTICLE 4: BUILDING & LOT/BUILDING SITE STANDARDS

final Cannabis Establishment license for the Cannabis Establishment use issued to the applicant by the State of Connecticut Commissioner of the Department of Consumer Protection or other department or licenser as may be sanctioned by the State of Connecticut shall be provided to the Planning and Zoning Director. The applicant for the Cannabis Establishment use shall be the licensee.

(8) If there is a change in operator or licensee, the new operator or licensee shall provide the new State license to the Commission.

(9) The City in approving any Cannabis Establishment may impose such reasonable conditions as will ensure compliance with these Regulations.

(10) No variance shall be granted to allow a Cannabis Establishment in any other zoning district.

(11) No waiver to site plan requirements shall be allowed for any Cannabis Establishment.

(12) All applications must include a copy of the provisional license for the Cannabis Establishment use issued by the State of Connecticut Department of Consumer Protection.

(13) A written security plan to ensure the contents of the building are secured, which such plan shall also be reviewed and approved by the Chief of Police or their designee. All security plans shall include information on vaults for the safe keeping of cannabis product and provisions for the installation of video cameras. Outdoor audible alarms are required for all Cannabis Establishments. Alarm systems are subject to the provisions of Chapter 68-5 of the Code of Ordinances, as amended.

(14) Off-street loading spaces for cannabis establishments shall comply with Section 4.3.14 of these Regulations.

(15) Within the City, there shall be a maximum of

(a) Three (3) Retailers; or

(b.) Three (3) Hybrid Retailers; or

(c.) Two (2) Retailers and one (1) Hybrid Retailer; or

(d.) One (1) Retailer and two (2) Hybrid Retailers.

(16) Said facilities shall be located and accessed from a collector or arterial street.

(17) Said facilities shall be located on a parcel that meets the minimum lot standards for the zone.

(18) Said facilities comply with all applicable Special Permit standards pursuant to Section 8.4.8 of these regulations.

(19) Retailers, Dispensary Facilities and Hybrid Retailers shall be considered a retail use for the purpose of calculating the required number of off-street parking spaces pursuant to these Regulations.

(20) Dispensary Facilities, Hybrid Retailers, and Retailers shall operate only between the hours of Monday through Saturday 9:00 AM to 8:00 PM, and on Sundays from 9:00 AM to 5:00 PM.

(21) No Dispensary Facilities, Hybrid Retailer, or Retailer shall be located within one-thousand (1,000) feet of a child day care center, nursery/pre-kindergarten, kindergarten, elementary or secondary school, college or university, or within five hundred (500) feet of any charitable institution, including any offices thereof, whether supported by public or private funds, healthcare facility, municipal building used for public gathering (City Hall, libraries, concert halls, etc.), public park, public recreation area, licensed adult day care center, dependency treatment center, shelter for the homeless, transitional housing facility, or place of worship.

## ARTICLE 4: BUILDING & LOT/BUILDING SITE STANDARDS

The distance shall be measured in a straight line from the nearest legal parcel boundary line of the land used for said purpose to the main pedestrian entrance of the cannabis hybrid retailer or cannabis retailer. To comply with the distance restrictions in this section, the applicant shall submit an area plan showing the location of the proposed Dispensary Facility, Hybrid Retailer or Retailer, indicating the name and address of any of the uses to which said distance restrictions apply. The area plan shall also include the name, address, and seal of the individual or firm preparing said plan; north point or arrow; graphic scale; and intervening lot lines, roads, driveways, and intersections in sufficient detail for orientation to the area, and any additional information deemed necessary by the Commission to determine compliance with this section. The area plan shall be prepared, signed and sealed by a land surveyor licensed and registered in the State of Connecticut, at a scale of 1" equals 60' or smaller (1"=>60') and drawn in accordance with an applicable Class A-2 Survey which complies with the 1976 code adopted by the CT Association of Land Surveyors, as amended. Area plans shall be drawn on standard sheet sizes of 24"x36" unless otherwise authorized by the Planning and Zoning Department prior to submission

(22) No lot, upon which contains a Dispensary Facility, Hybrid Retailer, or Retailer, shall be closer than one (1) mile from another lot, which contains a Dispensary Facility, Hybrid Retailer, or Retailer. The distance shall be measured in a straight line from the nearest legal parcel boundary line of one lot to the nearest legal parcel boundary line of the other lot.

(23) For up to thirty days after the opening of a Retailer or Hybrid Retailer, the Commission may require the applicant reimburse the City for reasonable costs incurred for the provision of public safety services in relation to the grand opening of the facility, including, but not limited

to, public safety costs incurred to direct traffic, not to exceed fifty thousand dollars.

**u. Cannabis Transporter** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) All Connecticut State regulations and laws, including all State licensing requirements, shall be adhered to and form the basis for local regulation of Cannabis Establishments.

(2) No cannabis shall be applied, ingested, or consumed inside the premise of a Cannabis Establishment.

(3) Only one (1) Cannabis Establishment shall be located within a facility.

(4) Cannabis Establishments shall be permitted as principal uses and allowed as an accessory use to any other permitted or special permit use.

(5) Refuse areas for Cannabis Establishments shall be screened from view and shall be locked to prevent unauthorized access.

(6) All signage shall comply with Article 7 of these Regulations and the requirements of the State of Connecticut Department of Consumer Protection, as amended.

(7) Prior to issuance of a Zoning Permit for a Cannabis Establishment, a copy of the final Cannabis Establishment license for the Cannabis Establishment use issued to the applicant by the State of Connecticut Commissioner of the Department of Consumer Protection or other department or licensor as may be sanctioned by the State of Connecticut shall be provided to the Planning and Zoning Director. The applicant for the Cannabis Establishment use shall be the licensee.

(8) If there is a change in operator or licensee, the new operator or licensee shall provide the new State license to the Commission.



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(9) The City in approving any Cannabis Establishment may impose such reasonable conditions as will ensure compliance with these Regulations.

(10) No variance shall be granted to allow a Cannabis Establishment in any other zoning District.

(11) No waiver to site plan requirements shall be allowed for any Cannabis Establishment.

(12) All applications must include a copy of the provisional license for the Cannabis Establishment use issued by the State of Connecticut Department of Consumer Protection.

(13) A written security plan to ensure the contents of the building are secured, which such plan shall also be reviewed and approved by the Chief of Police or their designee. All security plans shall include information on vaults for the safe keeping of cannabis product and provisions for the installation of video cameras. Outdoor audible alarms are required for all Cannabis Establishments. Alarm systems are subject to the provisions of Chapter 68-5 of the Code of Ordinances, as amended.

(14) Off-street loading spaces for cannabis establishments shall comply with Section 4.3.14 of these Regulations.

(15) Delivery Services and Transporters located within an industrial zone shall be permitted and subject to the same conditions as Commercial Vehicle parking.

(16) Said facilities comply with all applicable Site Plan standards of these regulations.

(17) Delivery Services and Transporters shall be considered a warehousing use for the purpose of calculating the required number of off-street parking spaces pursuant to these Regulations.

**v. Cellular Antenna** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) Such Accessory Use shall not exceed twenty-five feet (25') in Height.

**w. Child Day-Care Center** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) A maximum occupancy of thirty-five (35) children, with no less than five hundred (500) square feet of lot area per child. No occupancy limitations shall be required when the facility is an Accessory Use that is incidental to the Principal Use of the premises, which shall be limited to schools, places of worship, congregate housing facilities and community centers;

(2) In all cases, outdoor play areas and off-street parking areas shall comply with the applicable regulations; and

(3) Shall require approval of a Special Permit pursuant to Section 8.4.8.

**x. Commercial Communication Antenna** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) Commercial communication antennas are permitted as an Accessory Use when located on an existing Building or Structure, subject to the height limitation of that District, except that antennas mounted on existing Buildings which meet or exceed the height limitation of that District may extend above the existing Building height by no more than fifteen (15) feet;

(2) The color of the Building shall be incorporated into the design of the antenna; and

(3) Any equipment Structures shall meet the Building Setbacks and be effectively Screened from Adjacent properties.

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**y. Commercial Vehicle Storage Yards** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) Shall require a Site Plan Application pursuant to Section 8.4.5 on a lot with an area of <20,000 SF. Shall require a Special Permit pursuant to Section 8.4.5 on a lot with an area of >20,000 SF, subject to review an approval of an environmental impact report.

**z. Congregate Housing** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) Within CD-3L shall be located on a Lot or Building Site a minimum of 3 acres;

(2) Within CD-3 shall be located on a Lot or Building Site a minimum of 1 acre; and

(3) Shall require approval of a Special Permit pursuant to Section 8.4.8.

**aa. Convalescent / Nursing / Rest Home** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) Within CD-3L shall be located on a Lot or Building Site a minimum of 3 acres;

(2) Within CD-3 shall be located on a Lot or Building Site a minimum of 1 acre; and

(3) Shall require approval of a Special Permit pursuant to Section 8.4.8.

**ab. Drive-Through Facilities** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) Where no street separates the Use and a Residentially zoned or Residentially used property, at least 40 feet of separation shall be maintained between such Residential Lot/ Building Site line and the Drive-Through facility;

(2) Drive-through Facilities must be located in the Rear Yard and the location of drive-through facilities and associated facilities (for example:

communications systems and access aisles) shall be identified on all submitted Plans;

(3) Any speaker systems associated with a drive-through facility shall be designed and located so as not to be audible beyond the Lot or Building Site on which the drive-through facility is located;

(4) Vehicular access to a Drive-Through facility that is between a street or Internal Drive and a Building shall require a Lot/Building Site Buffer pursuant to Section 4.3.11 if such access is within fifty feet (50 ft.) of, and visible from, the street or Internal Drive. Such Buffer shall be installed and maintained along the entire length of such vehicular access and the Adjacent street or Internal Drive

(5) Vehicle stacking areas shall be provided in accordance with Section 4.3.12.H.

**ac. Earth Processing & Contractor's Materials Storage Yards** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) The parcel is less than 20,000 square feet;

(2) All such equipment and material shall be stored in an environmentally safe manner behind the Front Setback line and no closer than five feet (5') to the Side or Rear Lot/ Building Site lines, or ten feet (10') when abutting a Residential District;

(3) All such stockpiles shall be limited to a maximum Height of twenty feet (20') and covered when not in use. When in use, adequate measures to control dust must be employed;

(4) Native, vegetative Screening shall be utilized to ensure that materials and equipment and vehicles are Screened from Adjacent properties;

(5) Any Accessory retail sales of materials, such as topsoil, plant material, etc., is clearly incidental to the Principal Use;

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(6) The storage of empty refuse containers that are used exclusively for the collection and disposal of construction debris in the construction trade are located within one hundred feet (100') of an existing Solid Waste Transfer Station that has been approved by the Department of Energy and Environmental Protection (DEEP) or its predecessor, the Department of Environmental Protection (DEP); and

(a) Neither the Contractor's Storage Yard nor the Solid Waste Transfer Station are Adjacent to Residentially zoned property; and

(b) Neither the Contractor's Storage Yard nor the Solid Waste Transfer Station are located within one thousand five hundred feet (1,500') of Interstate 95 (I-95).

**ad. Elderly Housing Units** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) The subject property(ies) has a minimum of two (2) acres, as of the date of the adoption of these Regulations; and

(2) The Residential Density shall not exceed one (1) Unit per 6,250 square feet of Lot Area; and

(3) Structures shall be either single-family Dwellings or Duplex units; and

(4) The Structures shall comply with all Lot Occupation, Setback, and Building Height requirements of CD-3; and

(5) A minimum of twenty-five percent (25%) of the property must be set aside as Conservation area, which may be in the form of an easement in favor of the City and a total of forty percent (40%) of the Site is open area or green space; and

(6) Stormwater shall be mitigated using Low Impact Development (LID) techniques; and

(7) All Dwellings or Principal Structures shall have rooftop solar installed, unless it is determined to be not feasible as determined by a feasibility report.

**ae. Electric Power Generator** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) Only permitted for emergency or peak shaving purposes as defined herein;

(a) Emergency – A condition where the local municipal utility company is experiencing a power outage in its distribution system, or is not receiving power from the electric grid or has been notified by the power grid operator of an impending emergency which likely will result in a power supply emergency as defined by Independent System Operator – New England (ISO-NE) OP-4 step 12, or any similar system reliability and status index;

(b) Peak Shaving – A program designed by the local municipal utility in which an electric power generator equipped customer is authorized by contract to reduce the load on the local electrical distribution system and the regional electric grid during periods of peak monthly demand by running on-site generation equipment at the request and direction of the local utility;

(2) One (1) electric power generator powered by natural gas only and located on the roof of a Building a minimum of six (6) stories in height, shall be permitted provided such generator does not exceed the maximum load required for the Building's operation by more than fifty percent (50%), as certified by a registered professional engineer, subject to confirmation by the Building Inspector. The operation of such generators shall be limited to no more than two hundred (200) hours per calendar year and to the operating hours of 7:00 am until 11:00 pm only, except in the case of an emergency, as herein defined. Such generators

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shall demonstrate compliance with the City of Norwalk Noise Ordinance and, in addition, shall show compliance with the ordinance when the decibel level of the generator in operation is measured at the highest occupied level of adjacent Building(s) and with applicable Connecticut Department of Environmental Protection air quality standards;

(3) Such generators shall not be taller than twelve (12) feet in height, shall be setback a minimum of ten (10) feet from the edge of the roof on which it is located, and shall be screened from public view, subject to the satisfaction of the Planning and Zoning Commission; and

(4) Shall require approval of a Special Permit pursuant to Section 8.4.8.

**af. Elementary or Secondary School** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) The Height provisions of these Regulations shall not prevent the erection of a public School to a Height not exceeding four (4) Stories and sixty-five (65) feet.

(2) All Buildings shall be Setback from front, side, and rear Lot/Building Site boundaries by an amount not less than the minimum Setback specified in the District, plus six (6) inches for each foot of Building length in excess of forty (40) feet, such length measured parallel to the Lot/Building Site boundary.

(3) Buildings Setback from a side Lot/Building Site line shall not be required to exceed forty (40) feet and the Building Setback from a front Lot/Building Site line shall not be required to exceed twice the minimum Front Setback standard as that required in the District.

(4) Notwithstanding anything in these Regulations to the contrary, public Schools shall be required to provide no more than eighty (80) foot Front and Rear Setbacks and

no more than a forty (40) foot Front Setback for all off-street Parking and Loading Facilities, including all Parking aisles and backup spaces.

(5) Shall require approval of a Special Permit pursuant to Section 8.4.8.

**ag. Emergency Communications Antenna** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) Such Accessory Use shall not exceed twenty-five feet (25') in Height.

**ah. Extended Stay Hotel** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) Shall be located on a Lot or Building Site a minimum of 4 acres; and

(2) Shall require approval of a Special Permit pursuant to Section 8.4.8.

**ai. Family Day-Care Home** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) A maximum of 12 clients may be served at any one time;

(2) Overnight accommodation shall not be permitted;

(3) No outdoor public address systems shall be allowed;

(4) When the facility is located within a Non-Residential area, the Fire Marshall shall review the proposal prior to approval and make a recommendation; and

(5) A client drop off area shall be provided. All required Parking shall be in the Rear Setback Area or Side Setback Areas.

**aj. Financial Institutions** shall be permitted in accordance with the applicable Use Table, subject to the following:

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(1) Shall not be located on the ground floor of a Building.

**ak. Government Agencies & charitable organizations** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) Shall not be located on the ground floor of a Building.

**al. Group Home** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) No Group Home shall be constructed or located within 1,000 feet of another Group Home; and

(2) Shall require approval of a Special Permit pursuant to Section 8.4.8.

**am. Halfway House** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) No Halfway House shall be constructed or located within 1,000 feet of another Halfway House;

(2) Within CD-3 shall provide no less than 250 square feet of living area per person and allow a maximum of 12 persons;

(3) Within all other permitted Districts shall provide no less than 200 square feet of living area per person and allow a maximum of 20 persons;

(4) Shall require approval of a Special Permit pursuant to Section 8.4.8.

(5) Halfway houses for persons under the jurisdiction of the Department of Corrections shall not be permitted

**an. Health Club** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) A Site Plan Application is required for any Health Club between 2,500 SF and 5,000 SF.

(2) Health Clubs greater than 5,000 SF require a Special Permit pursuant to Section 8.4.8.

**ao. Helicopter Landing Site** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) The landing site shall be a minimum of 300 feet from a Residence zone and flight operations shall be restricted to the hours of 7:00 am to 7:00 pm only;

(2) The Planning and Zoning Commission may approve a helicopter landing site that exceeds the height provisions of these Regulations if it is located on top of a mechanical or habitable penthouse; and

(3) Shall require approval of a Special Permit pursuant to Section 8.4.8.

**ap. Hotel and Inn** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) Within the Silvermine Tavern Village District Overlay only permitted in an existing Structure a minimum of 100 years old with Additions up to 50 years old (Inn built 1790 & mill in 1800); and

(2) Shall require approval of a Special Permit pursuant to Section 8.4.8.

**aq. Home Office, Occupation, Or Business** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) Limited to no more than one (1) per Dwelling;

(2) Such Use shall not alter the Residential Character of the Structure; and

(3) Owner must reside within the Principal Building.



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**ar. Indoor And Outdoor Storage Of Passenger Motor Vehicles** shall be permitted in accordance with the applicable Use Table, subject to the following:

- (1) No on-site motor vehicle repair, or retail or wholesale sales of motor vehicles or motor vehicle parts shall be permitted; and
- (2) Shall require approval of a Special Permit pursuant to Section 8.4.8.

**as. Indoor Contractor Facility** shall be permitted in accordance with the applicable Use Table, subject to the following:

- (1) No outside storage of commercial vehicles or materials on the premises;
- (2) No outside operation, repair or maintenance of equipment or vehicles;
- (3) A minimum of 10,000 square feet of Lot Area when Abutting a Residential District, and a minimum of ten feet (10') of landscaped Buffer between the Lot/Building Site line and any Site Improvements.

**at. Industrial office and/or showroom space (Accessory Use)** shall be permitted in accordance with the applicable Use Table, subject to the following:

- (1) May be located on the ground floor as an ancillary use, provided that such Use does not comprise more than 50% of the ground floor area.

**au. Junkyard** shall be permitted in accordance with the applicable Use Table, subject to the following:

- (1) All premises used as a junkyard or for storage of motor vehicles shall be maintained in strict accordance with the Regulation Concerning the Licensing of and Operation of Motor Vehicle Junk Yards, issued by the Commissioner of Motor Vehicles, State of Connecticut, as now in effect or as hereafter

revised; and

- (2) Shall require approval of a Special Permit pursuant to Section 8.4.8.

**av. Large Multifamily Building** shall be permitted in accordance with the applicable Use Table, subject to the following:

- (1) Shall comply with the Workforce Housing standards Section 6.12.
- (2) Within CD-4, any Development between fourteen (14) and twenty nine (29) Dwelling Units shall require a Site Plan Application pursuant to Section 8.4.5 and any Development greater than twenty nine (29) Dwelling Units shall require a Special Permit pursuant to Section 8.4.8.

(3) Within CD-4C, any Development between thirty (30) and one hundred and forty nine (149) Dwelling Units shall require a Site Plan Application pursuant to Section 8.4.5 and any Development greater than one hundred and forty nine (149) Dwelling Units shall require a Special Permit pursuant to Section 8.4.8.

(4) Within CD-5, any Development greater than greater than twenty nine (29) Dwelling Units shall require a Site Plan Application pursuant to Section 8.4.5

**aw. Live Music** shall be permitted in accordance with the applicable Use Table, subject to the following:

- (1) Live Music is permitted as an Accessory Use to Restaurant and Brew Pub/Distillery Uses, subject to documentation verifying that the Live Music will comply with the City of Norwalk Noise Control Ordinance.

**ax. Manufacturing & Processing, Boutique** shall be permitted in accordance with the applicable Use Table, subject to the following:

- (1) The operations and activities are not noxious or offensive due to emission of noise, pollutants or waste;

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(2) Subject to review and approval of an environmental impact report;

(3) Warehousing and retail sales/showroom space is accessory to the Principal manufacturing Use; and

(4) Office Use supporting the Principal Use cannot be located on the ground Floor.

**ay. Manufacturing & Processing, Light** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) The operations and activities are not noxious or offensive due to emission of noise, pollutants, or waste;

(2) Such Use is subject to review and approval of an environmental impact report;

(3) Warehousing and Retail Sales/showroom space is Accessory to the Principal Manufacturing Use; and

(4) Office Use, supporting the Principal Use, cannot be located on the ground Floor.

**az. Medical Office** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) Shall not be located on the ground floor of a Building.

**ba. Motor Vehicle Maintenance, Repair, Fuel Sales, Service or Cleaning** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) Service Station shall not be permitted within CD-4.

(2) Except with the permission of the Commission, under appropriate conditions and safeguards, no zoning approval shall be issued for the erection of a service station for more than five (5) motor vehicles or a motor vehicle service station or fuel sales station, or

for the conversion of any premises not so used to be used for such purposes, in any business or industrial zone, if any part of the lot or plot in question is situated within a distance of two hundred (200) feet as measured along the public street of or within any portion of a street between two (2) intersecting streets, between two (2) intercepting streets, or between an intersecting or intercepting street in which portion there exists:

(a) Schools.

(b) A hospital maintained as a charitable institution or a private hospital maintaining at least fifteen (15) beds for patients.

(b) A church with a meeting capacity of three hundred (300) persons.

(c) A theater containing at least three hundred (300) seats.

(d) A public library.

(3) No existing garage for more than five (5) motor vehicles, a group of garages for more than five (5) motor vehicles or a motor vehicle service station or fuel sales station shall be deemed to become a nonconforming Use through the subsequent erection of such a school, hospital, theater or library, as defined above, within the aforesaid prescribed area;

(4) So as to reduce traffic generation and traffic hazards, after the effective date of these Regulations, no fuel sales station shall be constructed or located within two thousand (2,000) feet of an existing fuels sales station. This provision shall not, however, make nonconforming uses of fuel sales stations otherwise conforming as of the effective date thereof;

(5) In accordance with Section 14-54 of the Connecticut General Statutes, as revised, and any additional requirements herein, the Planning and Zoning Commission shall review

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and act on requests for certificates of approval of locations for licenses for dealing in or repairing of motor vehicles;

(6) Pumps shall be located in the Rear Yard;

(7) Fuel pumps shall be located at least 15 feet from any Lot/Building Site line;

(8) Any repair, servicing, maintenance or other work on vehicles shall be conducted within an enclosed Structure;

(9) No outdoor storage shall be allowed;

(10) Storage of vehicles for more than 24 hours is prohibited;

(11) A spill prevention and counter measures plan shall be provided prior to construction plan approval that includes, at a minimum:

(a) Clean up procedures for fuel (or other hazardous material) spills occurring inside and outside the Building;

(b) Counter measures for use in preventing fuel (or other hazardous material) spills from entering the stormwater collection system;

(c) Routine cleanup procedures for work area and Parking Areas; and

(d) Washdown water shall not be permitted to enter the stormwater collection system.

(12) No maintenance, repair, or service station shall be located in CD-4; and

(13) Within CD-4 and CD-4C shall require approval of a Special Permit pursuant to Section 8.4.8.

### **bb. Motor Vehicles Sales, Rental or Leasing**

shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) All Junk Vehicles or inoperable vehicles or equipment shall be within a completely enclosed Building;

(2) Vehicle or equipment repairs made on-site shall be subject to the restrictions under "Motor Vehicle Maintenance, Repair, Fuel Sales, Service or Cleaning";

(3) Adequate on-site area shall exist for the loading and unloading of vehicles from car carriers to ensure that no such loading or unloading occurs in any Right-of-Way;

(4) No vehicles shall be displayed in required landscaping or in Rights-of-Way;

(5) Vehicle sales, leasing, and rental facilities shall meet the following Parking Area landscaping standards rather than those of Section 4.3.12.C:

(a) Trees shall be planted at the rate of one (1) tree per 50 linear feet, and shrubs at the rate of one (1) shrub per five (5) linear feet of display area.

(b) Plants may be grouped together, provided that at least 250 square feet of contiguous growing area, not encroached upon by impervious surfaces, surrounds each planted tree.

(6) Shall require approval of a Special Permit pursuant to Section 8.4.8.

**bc. Museum** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) Within CV, must be owned by a Governmental Agency.

**bd. Offices** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) Within CD-3:

(a) Property shall be a minimum of fifteen (15) acres;

(b) Such Office Building shall be in existence prior to 2022; and



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(c) Such Use is only for businesses and professional establishments other than those primarily providing services to customers or clients on the premises.

(2) Within SD-LI:

(a) Shall not be located on the ground floor of a Building.

**be. Outdoor Dining** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) Compliance with Chapter 45 Article IV Outdoor Dining and as amended.

**bf. Outdoor Storage** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) All Outdoor Storage shall be located only in the Rear Yard at least fifteen feet (15') from the public right-of-way and any Abutting Residential Use or Residential District.

**bg. Parking Lot** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) No storage, repair, or sales of vehicles shall be allowed on the site;

(2) Shall comply with all parking standards within these Regulations; and

(3) A wall or fence no more than 30 inches in height shall be placed around the perimeter of the Parking area to prevent Encroachment of vehicles into the surrounding area.

**bh. Performing Arts Theater** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) Within CV, must be owned by a Governmental Agency.

**bi. Personal Service Establishment** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) A Site Plan Application is required for Personal Service Establishments between 2,500 SF and 5,000 SF.

(2) Personal Service Establishments over 5,000 SF require a Special Permit pursuant to Section 8.4.8.

**bj. Portable Storage Container** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) Shall be permitted for a maximum period of one (1) month in any calendar year;

(2) Shall be limited to one (1) such container placed on an individual property at any one time; and

(3) Such container shall not exceed eight (8) feet in height or one hundred and sixty (160) square feet in size.

**bk. Public Utility Supply and Storage** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) The facility is operated by a licensed contractor who works exclusively for and in support of public utility companies;

(2) The subject property has a minimum of eleven (11) acres;

(3) The property shall have direct ingress and egress to a state highway;

(4) All equipment shall disable backup alarms while on the property or utilize another backup warning system that does not amplify sound; and

(5) While on property, all vehicles must comply with CT DOT Idling rules; and

(6) All such equipment and material shall be stored in an environmentally safe manner no closer than twenty-five feet (25') to the side or rear Lot/Building Site lines and not within the front Setback;

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(7) Any stockpiles of materials shall be limited to a maximum height of ten feet (10') and shall be effectively screened from view from a public road and from adjacent properties;

(8) The owner shall comply with Chapter 68 of the Noise Ordinance, and, except in emergencies, the hours of operation shall be limited to weekdays from 6:00 am to 6:00 pm;

(9) All lighting shall be fully shielded and shall not trespass onto adjoining properties and a photometric plan provided to confirm that no illumination shall exceed 0.3 foot candles at the Lot/Building Site line and all lights shall be directed away from surrounding Residential properties; and

(10) Shall require approval of a Special Permit pursuant to Section 8.4.8.

**bl. Religious Facilities** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) The Lot size is twice that of the minimum required within the applicable District.

(2) All Buildings shall be Setback from front, side, and rear Lot/Building Site boundaries by an amount not less than the minimum Setback specified in the District, plus six (6) inches for each foot of Building length in excess of forty (40) feet, such length measured parallel to the Lot/Building Site boundary.

(3) Shall require approval of a Special Permit pursuant to Section 8.4.8.

**bm. Residential Portion of Flex Building Type** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) Such Use is not permitted on the ground Floor in SD-MC or SD-LI.

(2) Within SD-LI:

(a) The ground floor contains another permitted principal or Special Permit Use.

(b) A minimum of 50% of the total Building gross floor area is dedicated to a Site Plan or Special Permit Use(s).

(c) There is not more than one (1) Dwelling Unit per 1,650 square feet of Lot area; except that Artist Live/WorkSpace(s) shall be exempt from the density calculation, provided that the application is referred to the to the Arts Commission for review and consideration. If the Arts Commission does not endorse the application, a 2/3 majority vote of the Zoning Commission is required for approval.

(d) Dwelling Units are located within the same Structure(s) as the Principal Use on the property.

(e) Such units are subject to workforce housing requirements.

**bn. Residential Portion of Live/Work Building Type** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) Such Use is not permitted on the ground Floor in SD-MC or SD-LI.

(2) Within SD-LI:

(a) The ground floor contains another permitted principal or Special Permit Use.

(b) A minimum of 50% of the total Building gross floor area is dedicated to a Site Plan or Special Permit Use(s).

(c) There is not more than one (1) Dwelling Unit per 1,650 square feet of Lot area; except that Artist Live/WorkSpace(s) shall be exempt from the density calculation, provided that the application is referred to the to the Arts Commission for review and consideration. If the Arts Commission does not endorse the application, a 2/3 majority vote of the Zoning Commission is required for approval.

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(d) Dwelling Units are located within the same Structure(s) as the principal use on the property.

(e) Such units are subject to workforce housing requirements.

**bo. Residential Portion of Mid Rise Building Type** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) Within CD-4C, any Development between thirty (30) and one hundred and forty nine (149) Dwelling Units shall require a Site Plan Application pursuant to Section 8.4.5 and any Development greater than one hundred and forty nine (149) Dwelling Units shall require a Special Permit pursuant to Section 8.4.8.

(2) Within CD-5, any Development greater than greater than twenty nine (29) Dwelling Units shall require a Site Plan Application pursuant to Section 8.4.5

**bp. Residential Portion of Mixed Use Building Type** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) Such Use is not permitted on the ground Floor in SD-MC or SD-LI.

(2) Within SD-LI:

(a) The ground floor contains another permitted principal or Special Permit Use.

(b) A minimum of 50% of the total Building gross floor area is dedicated to a Site Plan or Special Permit Use(s).

(c) There is not more than one (1) Dwelling Unit per 1,650 square feet of Lot area; except that Artist Live/WorkSpace(s) shall be exempt from the density calculation, provided that the application is referred to the to the Arts Commission for review and consideration. If the Arts Commission does not endorse the application, a 2/3 majority vote of the Zoning Commission is required for approval.

(d) Dwelling Units are located within the same Structure(s) as the principal use on the property.

(e) Such units are subject to workforce housing requirements.

(3) Within CD-4, any Development between fourteen (14) and twenty nine (29) Dwelling Units shall require a Site Plan Application pursuant to Section 8.4.5 and any Development greater than twenty nine (29) Dwelling Units shall require a Special Permit pursuant to Section 8.4.8.

(4) Within CD-4C, any Development between thirty (30) and one hundred and forty nine (149) Dwelling Units shall require a Site Plan Application pursuant to Section 8.4.5 and any Development greater than one hundred and forty nine (149) Dwelling Units shall require a Special Permit pursuant to Section 8.4.8.

(5) Within CD-4W, any Development between three (3) and six (6) Dwelling Units shall require a Site Plan Application pursuant to Section 8.4.5 and any Development greater than six (6) Dwelling Units shall require a Special Permit pursuant to Section 8.4.8.

(6) Within CD-5, any Development greater than than twenty nine (29) Dwelling Units shall require a Site Plan Application pursuant to Section 8.4.5

**bq. Restaurant** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) Within CV:

(a) A full-service, all-season Restaurant shall be permitted in a public park having one hundred twenty-five (125) acres or more and which has a standard eighteen-hole golf course;

(b) A full-service, all-season Restaurant shall be permitted in a public park having thirty

## ARTICLE 4: BUILDING & LOT/BUILDING SITE STANDARDS

(30) acres or more which adjoins Long Island Sound;

(c) Shall require approval of a Special Permit pursuant to Section 8.4.8.

(2) Within the Silvermine Tavern Village District Overlay:

(a) only permitted in an existing Structure a minimum of 100 years old and a minimum of ten thousand (10,000) square feet, except that no drive-in or take-out Restaurants shall be permitted; and

(b) Shall require approval of a Special Permit pursuant to Section 8.4.8.

(3) Within CD-4 and CD-4W:

(a) A Site Plan Application is required for Restaurants between 2,500 SF and 5,000 SF.

(b) Restaurants over 5,000 SF require a Special Permit pursuant to Section 8.4.8.

**br. Retail Sales** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) Within the Silvermine Tavern Village District Overlay:

(a) only permitted in an existing Structure a minimum of 80 years old and up to three (3) Multi-family Dwelling Units or four (4) Inn rooms (store built 1920) ; and

(b) Shall require approval of a Special Permit pursuant to Section 8.4.8.

(2) Within CD-4 and CD-4W:

(a) A Site Plan Application is required for Retail Sales between 2,500 SF and 5,000 SF.

(b) Retail Sales over 5,000 SF require a Special Permit pursuant to Section 8.4.8.

**bs. Retail Sales of goods manufactured, warehoused, or distributed on premise** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) May be located on the ground floor as an ancillary use, provided that such Use does not comprise more than 50% of the ground floor area.

**bt. Self-Storage Facility** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) The facility is located on a parcel a minimum of seven (7) acres in size;

(2) Such facility is located more than two hundred and fifty (250) feet from the centerline of Westport Avenue, Connecticut Avenue, Main Avenue, or Main street

(3) Any facility does not exceed 125,000 square feet.

**bu. Single-Family Detached Dwelling** shall be permitted in accordance with the applicable Use Table, subject to the following:

(1) In addition to the traditional Single-Family Detached Dwelling, clustered Single-Family Dwellings shall also be permitted within the Silvermine Tavern Village District Overlay subject to the following:

(a) a maximum of four (4) new Dwellings and one (1) Dwelling unit in an existing Structure with a separate guest house, on a minimum of three (3.0) acres.

(b) New clustered Dwellings shall not exceed a maximum of four thousand four hundred (4,400) square feet of gross Floor Area per unit including a minimum of one thousand one hundred and fifty (1,150) square feet of basement floor area, and shall not exceed one and one half (1 1/2) stories and a maximum height of thirty (30) feet to the peak of a pitched roof.

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**bv. Small Multifamily Building** shall be permitted in accordance with the applicable Use Table, subject to the following:

- (1) Shall comply with the Workforce Housing standards Section 6.12.

**bw. Solar Panels – Roof Mounted And Freestanding** shall be permitted in accordance with the applicable Use Table, subject to the following:

- (1) Shall comply with the standards for Solar Panels Section 6.11.2.B.

**bx. Storage Of Not More Than One Commercial Vehicle** shall be permitted in accordance with the applicable Use Table, subject to the following:

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

**by. Tag/Garage/Yard Sale** shall be permitted in accordance with the applicable Use Table, subject to the following:

- (1) Not to exceed three (3) per calendar year per property,
- (2) Shall be allowed as an Accessory Use to a permitted Residential Use, provided that each tag sale event shall be limited to a maximum of three (3) days and is operated during daytime hours only by a resident of the property.

**bz. Trade Or Vocational Schools** shall be permitted in accordance with the applicable Use Table, subject to the following:

- (1) Training or educational programs shall be certified by the State of Connecticut, subject to the following requirements:
  - (a) Shall have a minimum lot size of fifteen thousand (15,000) square feet;
  - (b) Shall not exceed twenty-five (25) persons undergoing training;

(c) Use of a technical school shall be limited to members of a trade or profession enrolled in apprenticeship and upgrading programs as defined in the Connecticut General Statutes Annotated Title 31, §§ 31-51a to 31-51e.

- (2) Shall require approval of a Special Permit pursuant to Section 8.4.8.

## G. General Performance Standards for All Uses.

1. Any activity which releases smoke, particulate matter, gases or contaminants into the atmosphere shall comply with all applicable federal and State regulations.
2. All activities shall comply with the City Fire Codes.
3. All activities shall comply at a minimum with all applicable State and federal regulations as well as the appropriate County Health Department regulations and City and County fire department regulations for hazardous materials and wastes.
4. All activities shall control electromagnetic frequencies so that there is no interference in the operation of equipment off-site and no adverse effects to persons off-site.
5. Any activity which discharges material or liquids into sanitary sewers shall conform to all federal, state and local discharge and release regulations. City sanitation ordinances may also apply. The drainage of waste or stored materials onto adjacent properties or directly into creeks and watercourses or into the stormwater conveyance system is prohibited. Only uncontaminated stormwater runoff may be discharged into the stormwater conveyance system.
6. All activities shall comply with all federal and State regulations which apply to the handling, storage, and disposal of nuclear material.
7. All activities shall comply with all City regulations which pertain to the emanation of sound waves.