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# ARTICLE 2: ZONING MAP

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## SECTION 2.1 ZONING MAP.

### 2.1.1 Establishment of Districts.

Districts are established in Section 3.3. Establishment of any other Districts shall be in accordance with Section 3.4.

### 2.1.2 Designations on Zoning Map.

Districts, streets, Internal Drives, and any Special Requirements, as referred to in these Regulations and approved by the Planning and Zoning Commission, shall be bounded and designated on the Zoning Map and any amendment thereto, as adopted by the Planning and Zoning Commission pursuant to these Regulations.

### 2.1.3 Incorporation into Regulations.

The Zoning Map, as may be subsequently amended from time to time, and all notations, references and explanatory and other matter thereon, is incorporated into and made a part of these Regulations by reference.

### 2.1.4 Maintenance of Zoning Map.

The adopted Zoning Map shall be kept on file in the Town Clerk's office and the Planning & Zoning Director may maintain a copy of the Zoning Map (which may be in a digital format), reflecting all amendments approved by the Planning and Zoning Commission.

### 2.1.5 District Boundaries.

#### A. Establishment of Boundaries.

The boundaries of each of the Districts identified in Section 3.3 are hereby established as shown on the duly adopted Zoning Map.

#### B. Intent.

The District boundary lines, unless shown otherwise,

are intended generally to follow street center lines, railroad right-of-way boundary lines or their center lines, other similar right-of-way lines, or Lot Lines or Building Site Lines, boundaries of subdivisions, or City boundary lines, all as shown on the Zoning Map. Where a District boundary line does not follow such a line, but is shown parallel to such a line on the Zoning Map, the distance between the parallel lines shall be as dimensioned on the Zoning Map. Such dimensions shall be construed to read from the outside edge of all rights-of-way rather than from their center lines unless otherwise indicated on the Zoning Map.

Any unzoned waters within and bordering upon the City which shall in any part be filled in or upon which any wharf, dock, pier or Structure shall be erected shall be deemed to bear the zone classification of the Adjacent zoned land until such time as the Planning and Zoning Commission shall otherwise act to designate the zone thereof.

### C. Determination of Boundary Location.

When the location of a District boundary line cannot be otherwise determined, the determination thereof shall be made by the Planning & Zoning Director by scaling the distance on the Zoning Map from a line of known location to such District boundary line.

### D. Interpretation of District Boundaries.

When uncertainty exists as to the boundaries of Districts shown on the Zoning Map, the following shall apply:

1. Boundaries indicated as approximately following the center lines of streets, highways, or alleys shall be construed to follow such center lines;
2. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines;

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3. Boundaries indicated as approximately following City limits shall be construed as following such City limits;

4. Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks;

5. Boundaries indicated as following shore lines shall be construed to follow such shore lines, and in the event of change in the shore line shall be construed as moving with the actual shore line; boundaries indicated as approximately following the center lines of streams, rivers, canals, lakes, or other bodies of water shall be construed to follow such center lines;

6. Boundaries indicated as parallel to or extensions of features indicated in Sections 2.1.5.D.1 – 2.1.5.D.5 above shall be so construed. Distances not specifically indicated on the Zoning Map shall be determined by the scale of map;

7. Where physical or cultural features existing on the ground are different from those shown on the Zoning Map, or in other circumstances not covered by Sections 2.1.5.D.1 – 2.1.5.D.6, the Planning and Zoning Commission shall interpret the District boundaries.

### E. Appeal to Board of Zoning Appeals.

In the case of uncertainty as to the true location of a District boundary line in a particular instance, an appeal of the Planning and Zoning Director's determination may be taken to the Zoning Board of Appeals, as provided in **Article 8 (Administration, Procedures & Enforcement)**.

### F. Boundary Dividing Lot.

When a District boundary line divides a Lot in a single ownership at the Effective Date of these Regulations, any amendment thereto, or any amendment of the Zoning Map, the Zoning Board of Appeals may permit

extension into one District of a lawful Nonconforming Use and the standards applicable existing in the other District, as provided in **Article 8 (Administration, Procedures & Enforcement)**.

### G. Lot or Parcel in More than One Jurisdiction.

If any Lot or parcel of land is situated partially within the City and partially within one or more other jurisdictions, the portion of such Lot or parcel land situated within the City must comply with the City standards and requirements for the applicable City District.

#### 2.1.6 Adoption by Planning and Zoning Commission.

The Zoning Map shall be adopted by the Planning and Zoning Commission upon the Effective Date.

The Zoning Map may be amended from time to time in accordance with Section 8.4.14.

#### 2.1.7 Identification & Location of Official Zoning Map.

##### A. Identification.

The Official Zoning Map shall be identified by the signature of the Mayor, attested by the Town Clerk, bear the Seal of the City under the following words:

"This is to certify that this is the Official Zoning Map referred to in Article 2 of the Zoning Regulations of the City of Norwalk, Connecticut"

and bear the date of the adoption of these Regulations.

##### B. Location.

Regardless of the existence of purported copies of the Official Zoning Map which may from time to time be made or published, the Official Zoning Map maintained by the Town Clerk pursuant to Section

2.1.4 shall be the final authority as to the current zoning status of land and water areas, Buildings, and other Structures within the City's zoning jurisdiction.

### 2.1.8 Replacement of Official Zoning Map.

In the event that the Official Zoning Map becomes damaged, destroyed, lost, or difficult to interpret because of the nature of number of changes and additions, the Planning and Zoning Commission may adopt a new Official Zoning Map, which shall supersede the prior Official Zoning Map. The Planning and Zoning Commission may correct minor errors but must use the Rezoning process described in Section 8.4.14 to make substantive modifications to the Official Zoning Map.

### 2.1.9 Preservation of Maps.

All prior Official Zoning Maps and any significant portions of Official Zoning Maps shall be preserved, together with all available records pertaining to their adoption or amendment.

## SECTION 2.2 SPECIAL REQUIREMENTS.

### 2.2.1 Designation on Zoning Map.

The Zoning Map and any amendment thereto may designate any of the Special Requirements listed in Section 2.2.2 below. If there is any conflict between an applicable Special Requirement and another standard or requirement, the Special Requirement shall be controlling.

### 2.2.2 Effect of Designation.

If a Zoning Map or any amendment designates any one or more of such Special Requirements, such designation indicates that the following requirements shall be applied as follows:

#### A. Shopfront Frontage.

A Shopfront Frontage designation requires that each Private Frontage within the designated area be provided a Shopfront Frontage at Sidewalk level, except at any allowed Driveways or Streetscreen areas, as provided in **Table 4.3.7.A (Private Frontage Types)** and specified in **Article 4 (Building, Lot & Building Site Standards)**.

#### B. Mandatory Retail Frontage.

A Mandatory Retail Frontage designation requires that each Private Frontage within the designated area be provided a Shopfront Frontage at Sidewalk level, except at any allowed Driveways or Streetscreen areas, as Provided in **Table 4.3.7.A (Private Frontage Types)** and specified in **Article 4 (Building, Lot & Building Site Standards)** and that the ground level be available for Retail Use.

#### C. Terminated Vista.

A Terminated Vista designation requires that a Building be provided with a cupola, chimney, entry feature, or habitable tower that intersects the centerline axis of the view to which it responds.

#### D. Cross Block Passage.

A Cross Block Passage designation requires that a minimum 10-foot-wide pedestrian access be reserved between Buildings.

#### E. Special Height Range.

A designation of Special Height Range requires that Buildings within the designated area comply with the Height noted rather than the Height standard that otherwise would be applicable within the District.

#### F. Residential/Dwelling Use Restriction.

A designation of Residential/Dwelling Use Restriction prohibits Uses categorized as Residential/Dwelling Uses within the ground floor of Buildings within the

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designated area, irrespective of whether Residential/Dwelling Use would otherwise be permitted within the applicable District.

### G. Residential/Dwelling Use Only.

A designation of Residential/Dwelling Use Only requires that the only Principal Uses that are allowed within the designated area are Uses categorized as Residential/Dwelling in **Table 4.3.9.A (Building, Lot & Building Site Principal Use)**, irrespective of whether other Principal Uses would otherwise be permitted within the applicable District.

### H. Scenic View Corridors

A Scenic View Corridor designation requires that each Lot abutting the designated area maintains or increases the existing views to the water.

## SECTION 2.3 CHANGES TO ZONING MAP.

Any change to the adopted Zoning Map shall be subject to compliance with the requirements and procedures of these Regulations, which shall include without limitation in cases where the change was initiated by any Person other than the City, submission, review and approval of an application for approval of a proposed Zoning Map Amendment that complies with all standards, conditions, and requirements of these Regulations, in accordance with Section 8.4.14 and related provisions of **Article 8 (Administration, Procedures & Enforcement)**.

## SECTION 2.4 ASSIGNMENT OF DISTRICTS FOR DEVELOPMENT PARCELS.

### 2.4.1 Community Districts.

#### A. Assignment.

For any Development Parcel of 7.5 or more gross acres excluding any Special Districts, assignment of each Community District type (i.e., CD-3L, CD-3S, CD-3, CD-4, CD-4C, CD-4W, CD-5, CD-5W) for any Zoning Map Amendment must be evaluated for consistency with the then effective City Plan of Conservation and Development (POCD).

#### B. Zoning Map Amendment

Assignment of Community Districts shall be subject to approval as a Zoning Map Amendment pursuant to Section 8.4.14.

### 2.4.2 Civic Districts.

#### A. Assignment.

Civic Districts must be assigned for Development Parcels of 7.5 or more gross acres, excluding any Special Districts, in accordance with **Article 5 (Development Parcel Standards)**.

#### B. Zoning Map Amendment

Assignment of Civic Districts shall be subject to approval as a Zoning Map Amendment pursuant to Section 8.4.14.

### 2.4.3 Special Districts.

#### A. Assignment.

For any Zoning Map Amendment not initiated by the City, a Special District may be assigned to an area within a parcel of land over 7.5 gross acres only if due to the necessary and intrinsic Uses, size, or form, a proposed Development cannot under any plan, design, or circumstances conform to one or more of the Community Districts and standards therefor.

Special Districts shall not be proposed or used to avoid, or have the effect of avoiding compliance with the standards and requirements of these Regulations for Community Districts, and instead, shall be used sparingly and only in exceptional situations.

### **B. Zoning Map Amendment.**

Assignment of Special Districts shall be subject to approval as a Zoning Map Amendment pursuant to Section 8.4.14.

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