

ARTICLE 100, Supplementary Regulations for Business and Industrial Zones

§ 118-1000. Setbacks and buffer strips in business and industrial zones.

- A. Unless otherwise provided by these regulations, in a business or industrial zone, every building shall be required to be set back from the property line such a distance as may be necessary to keep its street wall, walls or covered porches thirty-five (35) feet from the center line of the street or streets upon which its lot may abut or front, except that where twenty-five percent (25%) of the length of a given block front is occupied by buildings on the street line or within one (1) foot of same, no setback shall be required for additional buildings on said block front. [Amended effective 1-16-1987]
- B. Wherever the Common Council shall have established a building line or wherever the Common Council may in the future establish a building line, as provided in the Charter of the City of Norwalk, then such building line shall control the distance that the buildings shall be set back upon the lot, in lieu of these regulations.
- C. No building or structure shall be maintained within seventy (70) feet of the center line of Connecticut Avenue as established by George C. Stout, City Engineer, and which center line is shown and delineated on a certain map entitled "Map Showing Center Line of Traveled Portion of Connecticut Avenue, Norwalk, Connecticut, August, 1944," said map on file in the Town Clerk's office. [Amended effective 12-20-1944]
- D. No building or structure of any kind shall be erected or maintained within fifty (50) feet of the center line of Main Avenue as shown on a certain map entitled, "Map of Main Avenue, Showing Center Line Established for Zone and Building Line Purposes from Merritt Parkway to Wilton Town Line, 1946," on file in the Town Clerk's office. [Amended effective 3-22-1946]
- E. No building or structure of any kind shall be erected or maintained within fifty (50) feet of the center line of Westport Avenue, said center line as shown on certain maps, three (3) entitled "Maps Showing Center Line of Traveled Portion of Westport Avenue, Norwalk, Connecticut, 1IN = 40FT, 1947," said maps being on file in the office of the Town Clerk under file numbers 2560, 2561 and 2562. Reference to said maps is hereby made and had for the particular location of said center line. [Amended effective 12-15-1950]
- F. All properties used for commercial or industrial purposes shall provide a buffer strip on every side which abuts a residence zone, except that no buffer or graduated setbacks from residence zones shall be required where the abutting property is within a limited access highway or railroad right-of-way. An existing commercial or industrial building or use shall be exempt from the requirements of this section. All buffer strips must be kept free of litter and maintained to the satisfaction of the Zoning Inspector. [Added effective 9-15-1975; amended effective 1-16-1987; amended effective 8-30-2002]

- G. Each buffer strip shall be a minimum of ten percent (10%) of the average lot width or depth, but need not exceed thirty (30) feet maximum. [Added effective 9-15-1975; amended effective 1-16-1987]
- H. The treatment of the buffer strip shall be subject to the approval of the Zoning Inspector. Fences, walls, berms, existing vegetation or natural changes in grade may supplement planted material or be considered in lieu thereof when, in the opinion of the Zoning Inspector, the intent of this regulation is adequately served. The Zoning Inspector shall consider the extent to which the treatment of the buffer strip screens noise, glare, smoke and visibility from adjacent properties. [Added effective 9-15-1975]

§ 118-1010. Garages and service stations in business and industrial zones.

- A. Except with the permission of the Commission, under appropriate conditions and safeguards, no zoning approval shall be issued for the erection of a garage for more than five (5) motor vehicles or a motor vehicle service station or gas filling 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: [Amended effective 7-15-1976; 12-11-1981; 7-28-2006]
 - (1) Schools.
 - (2) A hospital maintained as a charitable institution or a private hospital maintaining at least fifteen (15) beds for patients.
 - (3) A church with a meeting capacity of three hundred (300) persons.
 - (4) A theater containing at least three hundred (300) seats.
 - (5) A public library.
- B. No gasoline filling appliance shall be located within ten (10) feet of a street line or within five (5) feet of an adjacent property line.
- C. 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 gas filling 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.
- D. So as to reduce traffic generation and traffic hazards, after the effective date of this amendment to this section and these regulations, no retail gasoline station shall be constructed or located within two thousand (2,000) feet of an existing gasoline filling station (retail). This provision shall not, however, make nonconforming uses of retail

gasoline filling stations otherwise conforming as of the effective date thereof. [Amended effective 12-11-1969]

- E. In accordance with Section 14-54 of the Connecticut General Statutes, as revised, and any additional requirements herein, the Commission shall review and act on requests for certificates of approval of locations for licenses for dealing in or repairing of motor vehicles. [Added effective 7-28-2006]

§ 118-1020. Liquor outlets in business and industrial zones. [Repealed effective 6-27-2008]
[EN73](#)

§ 118-1030. Adult use establishments. [Added effective 1-28-1994; amended effective 6-25-1999]

- A. Adult use establishments, where otherwise permitted by these regulations, shall be subject to the following restrictions:
- (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 property line of a lot 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 property line of a lot 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 permitted in a Neighborhood Business, Rowayton Avenue Village District, East Avenue Village District, Silvermine Tavern Village District, Golden Hill Village District, Executive Office, South Norwalk Business District, Central Business Design District, SoNo Station Design District, Washington Street Design District, Reed Putnam Design District or a Marine Commercial Zoning District. Adult use establishments shall not be permitted by variance in zones where adult use establishments are prohibited. [Amended Effective 11-28-2003, 1-29-2010]

- (5) 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.
- (6) Where permitted, adult use establishments shall be permitted by Special Permit in accordance with § 118-1450, Special Permits.

§ 118-1031. RESERVED [EN74](#)

§ 118-1040. Outdoor Dining. [Added Effective 12-31-2021]

A. Outdoor dining which is incidental to and customarily associated with a permitted restaurant shall be permitted subject to the following restrictions:

- (1) Outdoor dining, street vendors and kiosks shall be permitted and shall be exempt from parking from April 1st to November 30th, subject to the annual renewal of required zoning approval, permission by required City agencies and all requirements of Section 45-29 through 45-34 of the Norwalk City Code, as amended.

§ 118-1041. Cannabis Establishments. [Added Effective 1-13-2023, Retail/Hybrid to be Effective 3-1-2023]

A. For the purposes of these regulations, the following shall constitute Cannabis Establishments as defined in the Connecticut General Statutes and are allowed uses in the City of Norwalk: Cultivator, Delivery Service, Dispensary Facility, Food and Beverage Manufacturer, Hybrid Retailer, Micro Cultivator, Product Packager, Producer, Retailer and Transporter.

The permitted cannabis uses are allowed as follows:

	B1 & B2	CBD	I1/I2
Cultivator	NP	NP	PL
Dispensary Facility	SP	NP	NP
Delivery Service	PL	NP	PL
Food & Beverage Mfg.	PL	SP	PL
Hybrid Retailer	SP	NP	NP
Micro Cultivator	SP	SP	P
Product Packager	NP	NP	PL
Retailer	SP	NP	NP
Producer	SP	SP	P
Transporter	PL	NP	PL

NP – not permitted
P – allowed by Zoning Permit
PL – permitted with limitations
SP – allowed by Special Permit

B. Cannabis Establishments, General Conditions

- 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 121 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 Zoning Enforcement Officer. 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 Article 120 of these Regulations.

C. Cultivators, Food and Beverage Manufacturers, Micro Cultivators, Product Packagers and Producers shall be allowed subject to the following additional conditions:

- 1) Said facilities comply with all applicable Site Plan and/or Special Permit standards as indicated in Section 118-1450 and Section 118-1451 of these regulations.
- 2) 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.
- 3) 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.

D. Retailers, Dispensary Facilities and Hybrid Retailers shall be allowed subject to the following additional conditions:

- 1) 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.
- 2) Said facilities shall be located and accessed from a collector or arterial street.
- 3) Said facilities shall be located on a parcel that meets the minimum lot standards for the zone.
- 4) Said facilities comply with all applicable Special Permit standards as indicated in Section Article 118-1450 of these regulations.
- 5) 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.
- 6) 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.
- 7) 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.

- 8) 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.
- 9) 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.

E. Delivery Services and Transporters are subject to the following additional conditions:

- 1) Delivery Services and Transporters located within an industrial zone shall be permitted and subject to the same conditions as Commercial Vehicle parking.
- 2) Said facilities comply with all applicable Site Plan standards as indicated in Section 118-1451 of these regulations.
- 3) 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.

Editor's Note 73: Former Subsections G and H, which repealed inconsistent regulations and stated an effective date for the regulations, were repealed effective 7-30-1982.

Editor's Note 74: Former ' 118-1031, Amortization of adult use establishments, added effective 1-24-1994, was repealed effective 5-26-2000.