

Section 5.0 SUPPLEMENTARY REGULATIONS

Note: See Sec. 5.7.4; accessory apartments are not allowed on flag lots.

5.1 Accessory Apartments

Accessory apartments are permitted provided all of the following conditions are met.

- 5.1.1 In the R-15s and R-10s zoning districts, a special exception must be obtained for an accessory apartment.
- 5.1.2 The accessory apartment has a minimum habitable floor area of 400 square feet and a maximum habitable floor area of 700 square feet.
- 5.1.3 The principal dwelling unit has a habitable floor area that is at least fifty per cent (50%) greater than accessory apartment.
- 5.1.4 The accessory apartment is in the same building as the principal dwelling unit. The Commission, however, may allow by special exception the accessory apartment and principal dwelling being in different buildings.
- 5.1.5 Only one accessory apartment and one principal dwelling unit are permitted on a lot.
- 5.1.6 To maintain the appearance of a single family dwelling unit, only one external entrance to the building shall face the front yard. Buildings on corner lots may have one entrance facing each front yard. The Commission, however, may allow by special exception two external entrances to the building to face the front yard.
- 5.1.7 To prevent excessive increases in density, the lots on which accessory apartments and principal dwelling units are located shall be larger than the minimum lot size applicable in the zoning district.
 - A. In the R-60, R-40, R-25, R-15, R-15s, R-10s and R-10 zoning districts the lot size shall be 25 percent greater in area than the minimum lot area applicable in the zoning district.
- 5.1.8 The building shall conform to all front, side and rear yard setbacks applicable to a single family dwelling unit.
- 5.1.9 The building shall conform to the parking requirements in Section 5.12.

5.2 Accessory Buildings and Accessory Structures (Rev. 8/2/99)

- 5.2.1 One, Two and Three Family Residences
On lots with one, two, or three dwelling units, accessory structures and accessory buildings, except for those located on farms or those buildings used for private stables, shall conform to the following requirements.

A. Lot Size: Up to and including 10,000 sq. ft.
Maximum Building/Structure Size: 600 sq. ft. or 75% of footprint of dwelling unit (including attached garage) whichever is less.
Maximum Height: 20 feet
Setbacks: Front: Applicable to zone where property is located (see Sec. 4.0)
Side: 5 ft.
Rear: 5 ft.
Maximum number of accessory structures: 2

B. Lot Size: Greater than 10,000 sq. ft. up to and including 40,000 sq. ft.
Maximum Building/Structure Size: 600 sq. ft. or 75% of footprint of dwelling unit (including attached garage) whichever is less.
Maximum Height: 20 feet
Setbacks: Front: Applicable to zone where property is located (see Sec. 4.0)
Side: 10 ft.
Rear: 10 ft.
Maximum number of accessory structures: 2

C. Lot Size: Greater than 40,000 sq. ft. up to and including 60,000 sq. ft.:
Maximum Building/Structure Size: 900 sq. ft. or 75% of footprint of dwelling unit (including attached garage) whichever is less.
Maximum Height: 20 feet
For structures up to 200 sq. ft. in size:
Setbacks: Front: Applicable to zone where property is located (see Sec. 4.0)
Side: 10 ft.
Rear: 10 ft.
For structures greater than 200 ft. in size:
Setbacks: Front: Applicable to zone where property is located (see Sec. 4.0)
Side: 25 feet
Rear: 25 feet
Maximum number of accessory structures: 2

D. Lot Size: Greater than 60,000 sq. ft.:
Maximum building/structure size: 100% of footprint of dwelling unit (including attached garage).
Maximum Height: 35 ft.
For structures up to 200 sq. ft. in size or up to and including 20 feet in height:
Setbacks: Front: applicable to zone where property is located (see Sec. 4.0)
Side: 10 ft.
Rear: 10 ft.
For structures greater than 200 sq. ft. in size or greater than 20 feet in height:
Setbacks: Front: Applicable to zone where property is located (Sec.4.0)
Side: 25 ft.
Rear: 50 ft.
Maximum number of accessory structures: N/A

- E. Accessory buildings or structures shall be located at least ten (10) feet from the principle structure and shall not be attached to the dwelling by a roofed structure.
- F. The size, placement and number of accessory buildings or structures shall also be regulated by building coverage and impervious surface coverage ratios specified in Section 4.0 of these regulations.

5.2.2 **Accessory Structures - Multi-Family Residences**

On lots used for multi-family residences, accessory buildings and accessory structures shall conform to the following requirements.

- A. No accessory building or accessory structure shall be placed within the buffer required by Section 6.8.
- B. The accessory building or accessory structure shall meet the same front yard setback requirements as required for the multi-family residence (see Section 6.8).
- C. The accessory building or accessory structure shall be at least ten feet from the dwelling units and shall not be attached to the dwelling units.
- D. No more than one accessory building per two dwelling units shall be allowed on a lot.
- E. The gross floor area of the accessory building(s) shall not exceed 25% of the gross floor area of the dwelling unit(s).
- F. The maximum height of an accessory building or structure shall be 20 feet. (Rev. 8/2/99)

5.2.3 **Accessory Structures - Non-Residential Uses**

For non-residential uses, accessory buildings and accessory structures shall conform to the following requirements:

- A. In an R-6 zone, accessory buildings and accessory structures shall meet the requirements for one, two or three dwelling unit(s) as described in Section 5.2.1 above.
- B. In all zoning districts other than R-6, accessory buildings and accessory structures shall meet the same front yard, side yard and rear yard setbacks as required for the principal building. No accessory building or accessory structure shall be placed within, or overhang, the landscaped buffer required in Section 5.10.

5.2.4 **Farms**

For farms, accessory buildings and accessory structures shall conform to the following requirements.

- A. No accessory building or accessory structure used to shelter animals shall be placed within 100 feet of a property boundary.
- B. All accessory buildings and accessory structures used for the operation of the farm, except those used to shelter animals, shall conform to the same front, side, and rear yard setback requirements as required for the principal building.

5.2.5 **Private Stables**

Private stables for horses are permitted on lots with one, two and three family residences provided all of the following conditions are met. Must first meet 'farm' requirement as stated in definitions.

- A. The lot contains a minimum of 3 acres to meet farm requirement. To calculate the number of horses permitted: 60,000 sq. ft. for first horse, 20,000 sq. ft. for each additional horse. Horses less than 6 months old are not included in this calculation.
- B. The stable for the horses are at least 100 feet from any property line and at least ten feet from any other building or structure.
- C. No waste material from the horse or the barn is to be stored within 100 feet of any property line. In addition, no waste material from the horse or barn shall be stored within 100 feet of a wetland or watercourse (rev. 2/1/06)

5.2.6 Retail as an Accessory Use (Effective 1/11/96)

In the Industrial and Industrial Park zones, retail uses are allowed as an accessory use provided all of the following conditions are met:

- A. The retail use is clearly incidental and subordinate to the principal use. The principal use and the retail use shall be owned by the same individual, partnership or corporation.
- B. The products sold on a retail basis shall be made on, or distributed on a wholesale basis from, the property.
- C. The floor area of the retail use shall occupy the lesser of 500 square feet or 10% of the floor area of the building in which the retail use is located. By special exception, the Commission may allow the floor area of the retail use to increase to the lesser of 1,000 square feet or 20% of the building's floor area.
- D. There shall be no additional signage allowed for the retail use.
- E. There shall be no outside display of the products sold at retail.
- F. Parking requirements for the retail use shall be calculated on the basis of the principal use.
- G. The parking on the property must meet the minimum parking requirements for the principal use.

5.3 Alcoholic Beverages

5.3.1 Location of Package Stores

- A. The public entrance to a package store shall not be:
 - a. within 1,500 feet as measured within a City accepted right of way of the public entrance to any other package store;
 - b. within 500 feet as measured within a City accepted right of way of any lot used for a place of worship, public or private school, hospital or library.
 - c. within 200 feet as measured within a City accepted right of way of any lot in a residential zoning district.
- B. Retail stores with a grocery store beer permit or a druggist permit from the Connecticut Department of Liquor Control are not package stores.
- C. If a package store ceases operation for more than 180 consecutive days, the package store shall resume operation only if it is in conformance with Section 5.3.1.A above.

5.3.2 Sale of Alcoholic Liquor for Consumption on Premises

- A. A special exception shall be obtained for any building with a tavern, restaurant, bowling center, cafe permit or other permit for the consumption of alcoholic liquor on premises from the Connecticut Department of Liquor Control if the public entrance to the building is within 1,500 feet of the public entrance to any other

building with a tavern, restaurant, bowling center, cafe permit or other permit for the consumption of alcoholic liquor on premises from the Connecticut Department of Liquor Control.

- B. No building with a tavern, restaurant, bowling center, cafe permit or other permit for the consumption of alcoholic liquor on premise from the Connecticut Department of Liquor Control shall have its public entrance within 500 feet of the public entrance to a place of worship, public or private school, hospital, or library.
- C. A special exception shall be obtained for any building with a tavern, restaurant, bowling center, cafe permit or other permit for the consumption of alcoholic liquor on premise from the Connecticut Department of Liquor Control if the public entrance to the building is within 150 feet of any lot in a residential zoning district.
- D. In shopping centers, Section 5.3.2.A above shall not apply to restaurants with restaurant permits from the Connecticut Department of Liquor Control.
- E. If a building with a tavern, restaurant, bowling center, cafe permit or other permit for the consumption of alcoholic liquor on premise from the Connecticut Department of Liquor Control ceases operation for more than 180 consecutive days, it shall not resume operations except in conformance with Sections A, B, C, and D above.
- F. In the General Business zoning district, Sections A, B, C and D above shall not apply.

5.4 Front Yard Setback Exception

5.4.1. Front Yard Setbacks

In R-6, R-10, R-10s, R-15 and R-15s zoning districts, the front yard setback for a building may be reduced to the average of the front yard setbacks of the existing buildings on lots abutting each side of the lot in question provided all the following conditions are met:

- A. There are existing buildings on both abutting lots.
- B. The reduction in front yard setback is for a new building on a vacant lot.
- C. The front yard setback is not reduced to less than ten feet.

This reduction in front yard setback shall not apply to additions to existing buildings.

5.5 Commercial & Industrial Restricted

No additional Commercial and Industrial Restricted (C.I.R.) zoning districts shall be allowed. The C.I.R. districts in existence at the time of the passage of this regulation shall remain. Any change to the development plans approved as part of the adoption of a C.I.R. district shall be brought before the Planning and Zoning Commission. Any change must conform to the C.I.R. regulations in effect at the time of the C.I.R. district's adoption. If the Commission determines the changes are significant, the Commission shall require the applicant to apply for approval of the changes. The application for the changes to the development plans shall be subject to the regulations that apply for a change to the zoning map.

5.6 Conservation Subdivisions (Rev. 12/9/04)

5.6.1 Purpose

The purpose of this section is:

- A. Allow for greater flexibility & creativity in the design of residential subdivisions provided that the overall density of the development is no greater than what would be normally allowed in that zone;
- B. Encourage permanent preservation & protection of open space, greenway connections, scenic vistas, agricultural lands, forest lands, water quality and other cultural, historical or natural resources, which has an overall effect of increasing land values;
- C. Facilitate the construction of streets, utilities, building sites and public services in a more economical and efficient manner with reduced maintenance costs;
- D. Provide wildlife corridors connecting open spaces and protecting wildlife habitat;
- E. Provide land for active recreation where needed.
- F. Reduce demand for public-funded green space and providing means for expanding public trails and greenways.
- G. To encourage low impact development. (Rev. 2/1/06)

5.6.2 Zone Districts

Conservation subdivisions are allowed in R-10, R-10s, R-15, R-15s, R-25, R-40, R-60 and R-WP zoning districts.

5.6.3 Minimum Lot Sizes and Area Requirements

- A. The following are the minimum lot sizes and area requirements allowable in a conservation subdivision.
- B. Areas of inland wetlands, watercourses and bodies of water, naturally occurring slopes exceeding 25% in grade, utility or access easements and rights of way cannot be included when calculating the minimum lot size.

Residential District	Minimum Lot Sizes in Cluster	Area Requirements
R-WP	60,000 sf/unsewered	R-60
R-WP	40,000 sf/sewered	R-40
R-60	40,000 sq. ft.	R-40
R-40	20,000 sq.ft.	R-15
R-25	12,500 sq. ft.	R-10
R-15	7,500 sq. ft.	R-6
R-15s	7,500 sq. ft.	R-6
R-10	6,000 sq.ft.	R-6
R-10s	6,000 sq.ft.	R-6

5.6.4 Minimum Area for a Conservation Subdivision

The minimum gross acreage for a conservation subdivision shall be not less than ten times the minimum standard lot size in the zoning district.

5.6.5 Maximum Number of Lots

The maximum number of lots shall not be greater than would be allowed in a standard subdivision.

- A. The developer shall provide a conceptual layout of the property as a standard subdivision that would meet all Zoning, Subdivision, and Inland Wetland

regulations to illustrate the maximum number of lots allowed. The Yield Plan is conceptual in nature and not intended to involve significant engineering but must be realistic and not show potential house sites or streets in areas that would not be permitted in a conventional layout per the City of Torrington Subdivision Regulations.

- B. On sites not served by public sewer, soil suitability for individual septic systems shall be documented in a written certified statement by a CT licensed Professional Engineer or Torrington Area Health Department Sanitarian.
- C. On sites not served by public water, site suitability for private wells shall be documented in a written certified statement by the Torrington Area Health District.

5.6.6 **Minimum Open Space**

- A. The minimum acreage of open space shall be 50% of the gross acreage of land to be subdivided.
- B. The open space required by the Subdivision Regulations shall be counted towards meeting the minimum open space required in Section A above.

5.6.7 **Open Space**

The location and configuration of the open space shall be subject to the approval of the Commission. The purposes include, but are not limited to, protection of historic features, protection of scenic vistas, provision of areas for active recreation, buffering of adjacent properties, protection of natural areas and protection of farmland.

To the extent practicable, the open space shall be contiguous and useable. Fragmentation of open space should be minimized so that resource areas are not divided into numerous small parcels located in various areas of the development, unless the conservation feature in linear or unless such configuration is necessary to connect with other streams or trails.

Open Space shall be consistent with the Torrington Open Space Plan and/or Torrington Plan of Conservation and Development. (Rev. 2/1/06)

5.6.8 **Disposition of Open Space**

The method of preservation and disposition of the open space shall be subject to the approval of the Commission. The methods used may include, but are not limited to, the following:

- A. establishment of a neighborhood, or homeowners, association to own and maintain the land for the open space purposes intended;
- B. transfer of the land to a not for profit organization or similar entity to own and maintain the land for the open space purposes;
- C. transfer of the land to the City of Torrington; or
- D. endow maintenance of usable public open space, developed as part of the subdivision.

5.6.9 **Adjoining Properties**

To ensure compatibility with existing residential subdivisions, the Commission may require that proposed lots adjacent to, or across the street from, residentially zoned areas conform to the zoning district. The Commission may also require a buffer to separate the conservation subdivision from adjoining properties.

5.6.10 Site Planning Procedures

Plans prepared under the Conservation Subdivision section shall meet the provisions, procedures and design standards of the Torrington Zoning Regulations unless otherwise stated. Elements of the Conservation Subdivision process are:

- A. **Pre-Application Conference:** Before submitting an application for a conservation subdivision, the subdivider shall schedule a meeting introducing the applicant to the City staff to review the Zoning Regulations, procedures for approval including submittal requirements and design standards. This meeting is to facilitate better communication between the City and the subdivider thereby saving time and creating a better subdivision for all parties. For the meeting, the subdivider is to prepare preliminary mapping including an Existing Resources and Site Analysis Map along with a Preliminary Development Sketch Plan.
1. **Existing Resources and Site Analysis Map** - a review and analysis of the site's unique or sensitive natural areas including:
 - a. Hydrological characteristics, including surface water bodies, floodplains, groundwater recharge and discharge areas, wetlands, vernal pools, natural and manmade swales, watershed divides, drainage ways and steep slopes (25%).
 - b. Land cover on site (pasture, woodland etc.) and specimen trees with a caliper greater than 24 inches dbh. Include comments on health and condition of vegetation and identify any stands of invasive plants.
 - c. List current and past uses with the location of all buildings and structures on the land, cultivated areas, waste sites and history of waste disposal practices, paved areas, and all encumbrances such as easements or covenants.
 - d. Known critical habitat areas for rare, threatened or endangered species.
 - e. Scenic views into and out of the property.
 - f. Unique geological resources such as rock outcrops and glacial features.
 - g. Cultural resources including a brief description of the historic character of buildings, structures, old roads and historically important landscape and archeological features. Locate fences, stone walls and other existing landscape elements.

After all existing elements are inventoried, indicate areas of development and areas to be conserved. In the absence of sewer availability provide indicate soils suitable for septic systems. Any adjacent properties with protected open space should be identified.

This map may be done as an overlay to aerial photographs or topographic survey (contours at 2' min) to a scale of 1"=100' min. and should be prepared by a landscape architect or other qualified professional such as an environmental consultant, environmental engineer, or physical planner.

2. **Concept Development Sketch Plan** - Sets out the overall concept for the proposed subdivision showing areas of proposed development and areas of conservation. The Sketch should be done as an overlay to the Existing Resources and Site Analysis Map. This plan may be hand-drawn but in sufficient detail to examine and review conditions. Homesites are to be positioned to take maximum advantage of the existing landforms, solar orientation, scenic views etc. Indicate number and type of units proposed (single family, multi-family etc.) The Concept Development Sketch Plan

should compliment the Existing Resources and Site Analysis Map and when used as an overlay to the Existing Resources and Site Analysis Map will clearly show how well, or how poorly, the proposed layout avoids areas of the site prioritized for conservation. Calculations regarding the maximum number of permitted lots pursuant to Section 5.6.5 should be submitted along with the Concept Development Sketch Plan.

3. **Site Walk** - The Commission may request a site walk during the application process. The **Existing Resources and Site Analysis Map** and the **Concept Development Sketch Plan** will be used for orientation.

B. **Application:** After the pre-application conference, the applicant can make any necessary changes to the preliminary design and develop the proposed subdivision plans. The City staff can meet as needed to review any changes to the overall design. Drawing requirements and application requirements are outlined in detail on the subdivision/resubdivision application.

5.7 Flag Lots

In R-15, R-15s, R-25, R-40, R-60 and R-WP zoning districts, the Planning and Zoning Commission may approve as part of a subdivision, or by special exception when no subdivision is required, the use of an access way to serve a lot which does not comply with the minimum lot width requirements provided all the following conditions are met. Flag lots are not permitted in conservation subdivisions. (Eff 12/9/04)

- 5.7.1 In R-15, R-15s, R-25 and R-40 districts, the minimum lot size, excluding the area of the accessway, shall be 40,000 square feet.
- 5.7.2 In R-60 districts, the minimum lot size, excluding the area of the accessway, shall be 60,000 square feet.
- 5.7.3 In R-WP districts, the minimum lot size, excluding both the area of the accessway and the area covered by inland wetlands, shall be 87,000 square feet.
- 5.7.4 A flag lot shall be used for no more than one dwelling unit.
- 5.7.5 The lot line to which the accessway leads shall be considered the front lot line of the flag lot.
- 5.7.6 In the R-15 and R-15s zones, the front yard setback shall be a minimum of 50 feet.
- 5.7.7 The accessway shall be a minimum of 20 feet wide. The Planning and Zoning Commission, however, may require additional width to accommodate the construction, safe operation, and maintenance of the driveway within the accessway.
- 5.7.8 The driveway from the street to the dwelling unit shall not exceed 1,200 feet in length with the following exception. The Commission may allow an increase in the 1,200 feet driveway length, if, after consultation with the Fire Chief, the Commission determines that any increased driveway length will not result in undue problems in providing fire and other emergency services to the dwelling unit. (Effective 7/28/97)

- 5.7.9 The maximum grade of the driveway shall not exceed 12%.
- 5.7.10 The minimum width of the driveway shall be 12 feet. For driveways longer than 200 feet, pull-off areas to allow two vehicles to pass on the driveway may be required by the Commission.
- 5.7.11 Driveways shall be designed to provide for proper drainage and to accommodate fire and other emergency vehicles. All driveway curves shall contain a minimum radius of 60 feet. Driveways should be designed for onsite infiltration so to drain via sheet flow and not contribute stormwater run-off to the street. Rev. 2/1/06
- 5.7.12 No more than two accessways shall lie contiguous to one another. Contiguous accessways shall be separated from other individual or contiguous accessways by a lot which conforms to the minimum lot width requirements of the zone in which it is located.
- 5.7.13 No flag lot served by an accessway shall be placed directly behind another flag lot served by an accessway.
- 5.7.14 The owner of an flag lot must own the accessway in fee simple. However, in the case of contiguous accessways, the Planning and Zoning Commission may permit the use of a common shared driveway provided that the width of such driveway is divided between the two accessways, the responsibility for maintenance is equally shared, and the rights to pass and repass shall be granted to each of the two owners using the common driveway.
- 5.7.15 The Planning and Zoning Commission may require the provision of a landscape buffer along the accessway to protect existing homes from glare and noise.
- 5.7.16 The Planning and Zoning Commission may require a site plan, driveway plan and profile, drainage plan and a map of surrounding properties in order to aid the Commission in determining compliance with this regulation.
- 5.7.17 To provide directions for emergency vehicles, the address of each flag lot shall be identified by a numbered post or mailbox located at the connecting City street.

5.8 Five estate lots served by common driveway (eff 12/09/04)

The Planning and Zoning Commission may approve as part of a subdivision by Special Exception the use of a common driveway to serve not more than five estate lots in the R-60 and R-WP Zoning districts provided that:

- A. The lots shall be double the size of the minimum lot size requirements in the R-60 and R-WP Zones.
- B. Refer to City of Torrington Standards, Specifications, Rules & Regulations. A common driveway shall only be built in situations where a new road could be built and the driveway then could be constructed in lieu of a public roadway that meets the requirements of the Engineering Department's City of Torrington Standards, Specifications, Rules & Regulations. The area of the common driveway shall be a minimum of 50 feet in width at all points with frontage on a public street. For construction requirements refer to the Engineering Department's City of Torrington Standards, Specifications, Rules & Regulations. The design and layout shall provide safe access for emergency services and shall be referred to the Police and Fire Departments for their review and comment. (Rev. 2/1/06)

- C. A common driveway shall be under joint ownership of the lots it serves. The owners of lots on the common driveway shall share in the maintenance costs of the driveway unless and until the common driveway is improved, at no cost to the City of Torrington, to the requirements of a local street as specified in the current Subdivision regulations and City Road Ordinance. Applicants shall provide the Commission with copies of proposed deed or covenant that shall identify common driveway ownership and maintenance responsibilities. The Commission shall be assured that the ownership responsibility for maintenance, improvements and liability associated with the common driveway shall remain private unless and until the common driveway is upgraded and accepted as a City Street at no cost to the City. The deed or covenant shall be submitted for review and acceptance of the Corporation Counsel. The approved deed or covenant shall be filed with the City Clerk with the final subdivision map.

5.9 Height Exceptions

- 5.9.1 The following are exempt from the height limitations in Section 4.0:
 - A. Chimneys, church spires, elevator shafts, water towers and similar structural appendages not intended for occupancy or storage;
 - B. Flagpoles and similar devices;
 - C. Heating and air conditioning equipment, solar collectors, and similar equipment, fixtures, and devices;
 - D. Towers, 70 feet or less in height, for non-commercial radio transmission provided the distance from the base of the tower to the closest property line is less than the height of the tower. (Rev. 12/19/98)
- 5.9.2 The following structures may exceed the height limitations in Section 4.0 provided a special exception is obtained:
 - A. Places of worship, schools, water storage tanks, hospitals or buildings owned by the City of Torrington; (rev.12/19/98)
 - B. Barns, silos, or other structures used for agricultural purposes on a farm;
 - C. Equipment or structures used for excavations.

5.10 Home Occupations

- 5.10.1 Homes occupations are permitted as an accessory use to a dwelling unit provided all of the following conditions are met.
 - A. Only full time residents of the dwelling unit are permitted to work in the home occupation.
 - B. A home occupation shall be clearly incidental to the use of the dwelling unit for residential purposes. No more than five hundred square feet of floor area or 25% of the dwelling unit's floor area - whichever is less - shall be used for the home occupation.
 - C. The home occupation shall be carried out entirely within the dwelling unit.
 - D. Detached garages and other accessory buildings shall not be used for the home occupation with the exception of the storage of one commercial vehicle not to exceed twenty (20) feet in length. Detached garages and other accessory buildings shall not be used for storage or display.
 - E. No outside storage or display of materials or products is allowed.

- F. No toxic, explosive, flammable, combustible, corrosive, or otherwise hazardous materials shall be allowed when used in amounts and types not associated with normal household use.
- G. No equipment or processes shall be used in a home occupation which create noise, vibration, glare, fumes or odors detectable to the normal senses from off the property.
- H. The residential appearance of the dwelling unit shall be maintained. No evidence of the home occupation, other than a permitted sign, shall be visible from the exterior of the dwelling unit. No separate entrance shall be used or created exclusively for the use of the home occupation.

5.11 Landscaping Requirements

5.11.1 Purpose and Intent

A. The purpose of this regulation is to provide minimum standards for landscaping and buffer zones in order to reduce the negative impacts between incompatible land uses; ameliorate the blighted appearance of parking areas; conserve and stabilize property values and otherwise insure the creation of an attractive and harmonious environment. To the extent practical, landscape areas shall serve multiple benefits for a site, including aesthetic, visual mitigation and storm water management. (Rev. 2/1/06)

B. The landscaping requirements contained in the following sections are the minimum required. An applicant, however, may submit to the Commission an alternative landscaping plan with greater flexibility in layout provided the alternative plan has at least the minimum number of trees and shrubs as required by these regulations. The Commission may approve the alternate landscaping plan if, in the opinion of the Commission, the plan meets the intent of these regulations.

5.11.2 General Requirements

- A. At the time of planting, all required deciduous trees shall have a minimum caliper of 2.5 inches measured according to American Association of Nurserymen standards. All deciduous trees shall be shade trees and have a minimum branching height of five feet. The Commission, however, may allow the substitution of ornamental trees with a 2.5 inch caliper. A variation of .25 inches in caliper is allowed. The use of invasive or potentially invasive plants, as defined by the Connecticut Invasive Plants Council shall be prohibited. The use of Connecticut or New England native species only is encouraged. Invasive plants shall be removed in areas where predevelopment vegetation is being left in place. (Rev. 2/1/06)
- B. At the time of planting, all required non-deciduous trees shall have a minimum height of 8 feet.
- C. At the time of planting, all required shrubs shall have a minimum height of 18 inches.
- D. No required tree shall be planted on a slope that exceeds 33% (3:1).
- E. All required trees, shrubs, landscaped islands and other buffer areas must be protected from vehicular damage by curbing, railing, landscape timbers or other suitable substitute.
- F. All required trees, shrubs and landscaped areas shall be maintained in good order by the property owner. It is the responsibility of the property owner to replace any required vegetation which may be lost for any reason.

- G. Specimen trees and significant trees are regulated by Section 5.16.
- H. The landscape requirements noted in this section are minimums. Additional landscaping is encouraged.
- I. For changes of use, accessory structures, and additions to existing buildings, the Commission may limit the amount of expenditures on landscaping required by Section 5.11 to a maximum of 5% of project's final estimated cost. The applicant shall present to the Commission a planting plan and cost estimates for the project and the plantings. Both the planting plan and the estimates must be satisfactory to the Commission.

5.11.3 Landscaping Requirements for Front Yards

The following minimum requirements shall apply to the entire surface of front yards of all lots when an expansion, addition, change of use or new construction occurs except in those front yard areas currently covered by an impervious surface. In the Industrial Park zone, however, the minimum requirements shall apply only to the first twenty feet of the front yard setback. No landscaping requirements shall apply to one, two or three family residences. No dumpsters shall be permitted in the required front yard setback. Driveways and sidewalks may run perpendicular - approximations expected - to the required landscaped area.

A. **Front Yards Except General Business Zones**

The required front yard setback area of lots outside the General Business Zone shall be surfaced with either lawn, evergreen ground cover or other suitable vegetative cover. This required front yard setback area - with the exception of one, two, and three family residences - shall also contain the following:

- a. One deciduous tree is required for every forty lineal feet - or portion thereof - of front yard. Alternatively, one non-deciduous tree may be planted for every twenty lineal feet - or portion thereof - of front yard. Deciduous trees, however, must account for at least 50 per cent of all the required trees. Trees shall be planted between thirty and fifty feet apart.
- b. Five shrubs are required for every forty lineal feet - or portion thereof - of front yard.
- c. Where a front yard faces a residential zone, the Commission may require that all or part of the required front yard setback area be planted with one non-deciduous tree for every eight lineal feet of front yard. These non-deciduous trees are to be planted no more than eight feet off-center. These trees are in lieu of those required in section a above.
- d. Where the number of spaces in a single parking area exceeds fifty spaces and this parking area abuts a required front yard setback, the Commission may require:
 - i. The setback be increased by an additional 10 feet in width; and/or
 - ii. A berm with an average height of four feet as measured from the lot line to the edge of the parking lot be constructed. The intent is to screen the parking lot from view.
- e. Existing vegetation, if comparable, may be used to satisfy all or part of the requirements in sections a, b and c above. Note that the removal of specimen trees and significant trees is regulated by Section 5.15.

B. General Business Zone

A ten foot wide landscaped area shall be provided between all parking areas and the street frontage. The Commission may, however, allow this landscaped area to be reduced to a minimum of five feet. This required landscaped area shall be surfaced with either lawn, evergreen ground cover or other suitable vegetative cover. It shall also contain the following.

- a. One deciduous tree is required for every forty lineal feet - or portion thereof - of front yard. Alternatively, one non-deciduous tree may be planted for every twenty lineal feet - or portion thereof - of front yard. Deciduous trees, however, must account for at least 50 per cent of all the required trees. Trees shall be planted between thirty and fifty feet apart.
- b. Five shrubs are required for every forty lineal feet - or portion thereof - of front yard.
- c. Existing vegetation may be used to satisfy the requirements in subsections a and b provided comparable vegetation exists. Note that the removal of specimen trees and significant trees is regulated by Section 5.16.

5.11.4 Landscape Requirements for Parking Areas

A. The following minimum requirements shall apply to:

- a. All new parking areas; and
- b. All rearrangements of existing parking areas with more than fifty parking spaces if the rearrangement effects more than 20% of the existing spaces.

B. *Lots with 15 or More Parking Spaces*

Any lot which contains a parking area having more than fifteen parking spaces shall have a landscaped island at each end of each row of parking spaces and an intermediate island after fifteen parking spaces. However, landscaped islands shall not be required between a parking space and a building wall if the building wall is within fifteen feet of the parking space. Landscaped islands shall be a minimum of eighteen feet in length and nine feet in width. Each landscaped island shall contain a deciduous tree. A non-deciduous tree may be substituted in cases where its location does not interfere with sight distances within the parking lot.

C. *Lots with One Hundred or More Parking Spaces*

Where a lot contains a parking area having one hundred or more parking spaces, the landscaped islands required by Section 5.10.3.B may be combined into planting clusters or rows provided the following requirements are met.

- a. Planting clusters shall be located adjacent to, or within, the parking area.
- b. Planting clusters shall be evenly distributed throughout the parking area with no more than 160 feet separating each cluster.
- c. An individual planting cluster shall have minimum dimensions of nine feet by eighteen feet.
- d. The total area of the planting clusters shall be greater than or equal to the area of the required landscape islands.
- e. The planting cluster shall have at least the same number of trees as the required landscaped islands.
- f. The planting clusters shall not count towards meeting any other landscaping requirements.

5.11.5 Buffer Requirements (Rev. 12/19/98)

A. General Requirements

- a. The following minimum buffer requirements shall apply to:
 - i. All new construction;
 - ii. Additions resulting in a total increase of more than 15% in the gross floor area existing on the effective date of this regulation; and
 - iii. The expansion of parking, loading, and storage areas by more than 15% of the impervious surface existing on the effective date of this regulation.
- b. Buffers shall not contain buildings, structures, parking, storage areas, dumpsters, signs, impervious surfaces, or other such uses.
- c. Buffers shall be located to provide the maximum visual buffer between adjoining uses.
- d. Where the number of spaces in a single parking area exceeds fifty spaces and this parking area abuts a required buffer, the Commission may require:
 - i. The buffer be increased by an additional 10 feet in width; and/or
 - ii. A berm with an average height of four feet as measured from the lot line to the edge of the parking lot be constructed. The intent is to screen the parking lot from view.
- e. Existing vegetation may be used to satisfy the buffer requirements provided equivalent visual protection is provided and the buffer is a minimum of fifteen feet wide. Non-deciduous trees and shrubs shall be added to supplement the existing vegetation if the Commission determines it is necessary to provide a year round visual buffer. Note that the removal of specimen trees and significant trees is regulated by Section 5.16.

B. "BUFFER REQUIREMENTS - SPECIFIC" (Rev. 8-22-02)

The purpose of the buffer area is to:

- a. Provide visual screening for buildings, parking areas, loading areas, outside storage areas and ground fixed mechanical equipment to protect property values and enhance the appearance of the community;
- b. To reduce surface water run off and minimize soil erosion through the natural filtering and renovation capability of landscaped areas;
- c. To minimize environmental nuisances such as glare and noise.

This regulation is intended to be a flexible, performance based regulation, that allows the applicant to demonstrate to the Commission that the buffer area proposed provides the proper physical separation and visual screening between the proposed use and the adjacent to or across the street residential zone.

Within the buffer area the applicant shall provide screening for parking areas, loading areas, outside storage areas and ground fixed mechanical equipment. Acceptable screening materials may include, existing vegetation on the property, where the existing vegetation is of a nature that it will effectively screen the use from the view of adjoining properties, earthen berms, solid fences or walls, trees and evergreen plantings of such species, height and spacing, that in the judgement of the Commission will effectively screen the use. The applicant may propose any combination of the above screening materials. The screening shall be effective year round. The placement, width and design of the screening portion of the buffer shall be approved by the Commission.

In addition to the required landscaping plan per Sections 5.11 and 8.4.3 I, the applicant shall supply sectional drawings and photographs which demonstrate through use of existing topography, existing vegetation and or screening materials above, the proposed plan provides the proper physical separation and visual screening between the proposed use and adjacent to or across the street residential zones. (See example illustrations in figure 1 below.)

The location of the proposed screening shall be located to provide the maximum visual buffer between adjoining uses. If existing woodlands are located within the required buffer area, the applicant is encouraged to preserve these woodlands and supplement with non-deciduous trees, berm, solid fence or wall to provide the required year round screening.

The Commission may require additional landscaping or more mature plantings where unusual conditions dictate more extensive screening or for noise abatement purposes to reduce depreciation of adjacent residential properties in a residential zone. At the request of the applicant, the Commission may determine that the requirement for a landscaped buffer area is not necessary along a property line adjoining a permanently protected open space or some other similar situation where property values or community appearance would not be adversely effected.

Buffer areas shall not contain buildings, accessory structures, parking, storage areas, dumpsters, impervious surfaces except as noted below. The Commission may allow certain improvements to encroach within the buffer areas such as storm systems, detention/retention basins, underground utilities including sanitary lines, access drives for emergency vehicles, inter-lot connector drives, utility boxes, sidewalks and the like. Where possible encroachments in the buffer area will traverse the buffer area in such a manner so that the view is not continuous through the buffer.

Note: The buffer requirements are in addition to the landscaping requirements of Section 5.11 for front yards and parking areas. The removal of specimen trees and significant trees is regulated by Section 5.16.

Section 5.11.5 C. Buffer Requirements Local Business and Industrial Zone

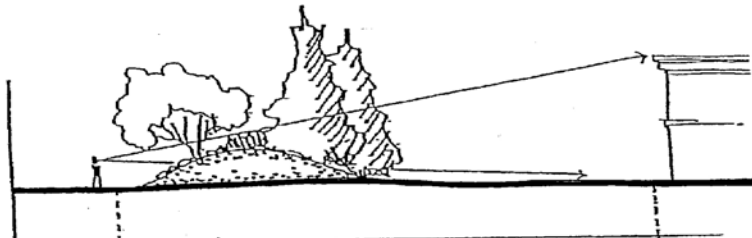
All yards which are adjacent to a residential zone shall contain a twenty-five foot wide buffer.

Section 5.11.5 D. Buffer Requirements Industrial Park Zone

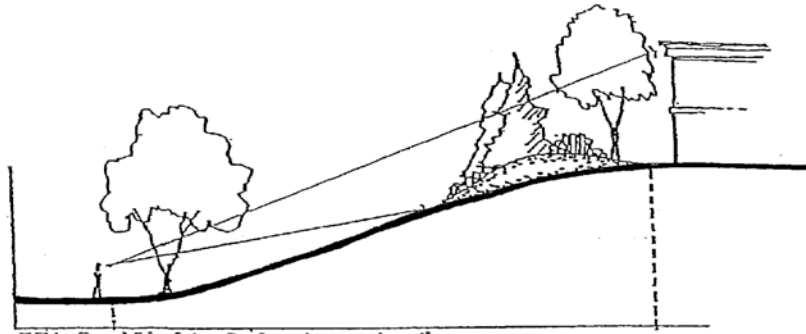
All yards which are adjacent to or across the street from a residential zone shall contain a seventy-five foot wide buffer. The Commission may by special exception permit reduce this required buffer to not less than the required building setbacks. The Commission will consider the adjacent uses, existing topography and/or exiting vegetation in evaluating reduction of the required buffer.

Section 5.11.5 E. Buffer Requirements Residential Zones

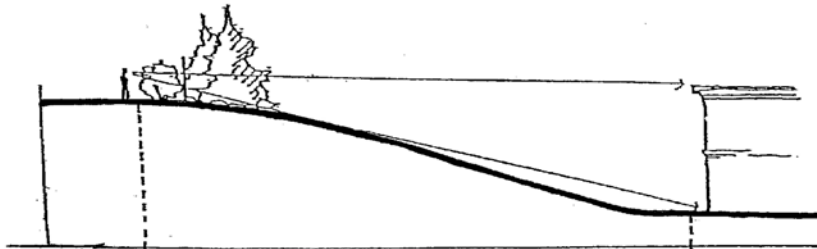
Uses permitted by special exception in a residential zone shall be separated by a landscaped buffer. The landscaped buffer area shall be designed to screen parking areas and special exception uses from adjoining residential properties.



75' buffer - View into site from same elevation



75' buffer - View into site from lower elevation.



75' buffer - View into site from higher elevation.

5.11.6 Enforcement (Rev. 8/2/99)

In the case where a certificate of zoning compliance or a certificate of occupancy is requested beyond the planting season, at the request of the applicant, the Zoning Enforcement Officer, or his/her designee may accept a performance bond. The plantings covered by the performance bond shall be completed within eight months from the date of the certificate of zoning compliance or the certificate of occupancy. Such bond shall be either a certified check, a passbook, an irrevocable letter of credit, or a bond from a company licensed in the State of Connecticut. The bond shall be in a form approved by the Corporation Counsel payable to the City of Torrington and in an amount of the estimated total cost of all plant materials and installation costs. Such bond shall be made conditional upon the applicant complying with the provisions of this regulation.

5.12 Non-Conforming Uses (rev. 12/19/98)

5.12.1 Continuation

Non-conforming uses and structures may be continued provided the uses and structures lawfully existed at the time these regulations, or amendments to these regulations, became effective. The volume, intensity, or frequency of use of a non-conforming property may be increased provided the increase is only a change in the degree of activity rather than a change in the kind of activity. If a non-conforming use is changed to a use permitted by right or by special exception the property may not revert to a nonconforming use.

5.12.2 Repairs

Minor repairs to, and routine maintenance of, a property where non-conforming uses and structures exist are permitted and encouraged.

5.12.3 Structures with Non-Conforming Uses

- A. One expansion of a structure - other than a one or two family residence - with non-conforming uses is permitted provided:
 - a. the expansion is no greater than 10% of the structure's gross floor area or 10% of the structure's cubic volume whichever is less;
 - b. all other applicable zoning regulations are observed; and
 - c. a special exception is obtained.
- B. The expansion of parking lots, outside storage areas, and other uses on a lot with a structure containing a non-conforming use is permitted provided:
 - a. the expansion is the minimum necessary to support the non-conforming structure;
 - b. all other applicable zoning regulations are observed; and
 - c. a special exception is obtained.
- C. The expansion of one and two family residences is permitted provided the expanded section does not violate the applicable height or yard setback regulations.

5.12.4 Changes in Use of Existing Structures

If the intended change in use is to another principal use that is also nonconforming, the change is permissible provided:

- A. the intended change will not require more parking than the existing non-conforming use;
- B. both the intended use and the existing non-conforming use would be permissible by right in the same zoning district; and
- C. site plan approval is obtained.

5.12.5 Non-conforming Use of Land

A legally non-conforming use of land not involving a structure may be continued. The area covered by the non-conforming use may not be increased.

5.12.6 Non-Conforming Structures

A structure which conforms to the use regulations but which does not conform to yard setbacks, area, parking, landscaping, or other zoning regulations may be expanded provided:

- A. the expanded section of the structure conforms to all applicable regulations; and
- B. no other non-conforming situation is created or increased by the expansion.

5.12.7 Casualty

Any non-conforming structure or use which is damaged by fire or other natural disaster may be restored and used as before provided a zoning permit is issued for the restoration within one year of the calamity and the certificate of occupancy is issued within two years of the calamity. The zoning permit may not be reissued or renewed. Neither the floor area nor the cubic volume of a non-conforming structure may be expanded. A non-conforming use of land may occupy no greater area than before the calamity.

5.13 Parking

5.13.1 General Requirements

- A. Off-street parking facilities shall be provided for all buildings or uses on-site at the time of the erection, alteration or enlargement of any building or change of use of premises except:
 - a. where such erection, alteration, enlargement or change of use would require no increase in the amount of parking spaces required under Section 5.13.4; and
 - b. in the case of a change of use of an existing building within the General Business Zone to any use allowed by right within the General Business district except residential uses.
- B. Off-street parking facilities shall be on the same lot with the use or building it is intended to serve except as follows:
 - a. All or part of the required off-street parking may be off-site on another lot under the same ownership or public ownership provided:
 - i. all parking spaces are within 250 feet of unobstructed walking distance of the public building entrance to which the parking is intended to serve or, in the case of no building, to the pedestrian entrance into the property; and
 - ii. a special exception is obtained.
 - b. All or part of the required off-street parking may be within the street right of way provided:

- i. all the parking spaces are within 250 feet of unobstructed walking distance to the public building entrance to which the parking is intended to serve or in the case of no building, to the pedestrian entrance into the property; and
 - ii. a special exception is obtained.
- c. Where the erection, enlargement or change of use of any structure, or the change of use of any property, in the General Business Zone requires an increase in the number of parking spaces, the Commission may, by special exception, allow a reduction in the number of parking and/or loading spaces required under Sections 5.12.4 and 5.12.5. In making its decision, the Commission shall consider the availability of existing public and private parking, the impact on surrounding properties, and the impact on traffic in the area. (Effective 2/3/98)

5.13.2 Minimum Standards for Parking Facilities

- A. The minimum standards for parking facilities contained in this section shall apply to the following.
 - a. All proposed parking facilities and driveways on lots where none previously existed.
 - b. All proposed portions of enlarged existing parking facilities.
 - c. All existing driveways of enlarged existing parking facilities with the exception that the sight distance standards contained in Section 5.13.2.H of this regulation shall not apply to existing driveways serving one, two, and three family residences. However, where the existing sight distance of a driveway serving a one, two, or three family residence is less than that required in Section 5.13.2.H such sight distance must be increased where the improvement involves the reasonable clearing or removal of vegetation as required by the City Engineer.
- B. **Parking Spaces and Stacking Spaces** (Rev. 12/19/98)
 - a. Each parking space shall be not less than nine feet in width and eighteen feet in length and rectangular in shape.
 - b. Each stacking space shall be not less than nine feet in width and eighteen feet in length and rectangular in shape.
 - c. Parking spaces, stacking spaces and loading spaces shall not overlap or interfere with aisles or driveways.
- C. **Aisle Widths**
 - a. The aisle width for one-way travel shall be a minimum of:
 - i. twelve (12) feet for parallel parking;
 - ii. twelve (12) feet thirty (30) degree angle parking;
 - iii. twelve (12) feet for forty-five (45) degree angle parking;
 - iv. eighteen (18) feet for sixty (60) degree angle parking;
 - v. twenty feet (20) for ninety (90) degree parking for two and three family houses;
 - vi. twenty four feet for ninety (90) degree parking for all other uses.
 - b. The aisle width for two way travel shall be a minimum of:
 - i. ten feet for one, two and three family houses;
 - ii. twenty four (24) feet for all other uses.
 - c. Aisle widths shall be kept to the minimum required unless the applicant can demonstrate to the Commission that the additional width is necessary for the safe movement of traffic.

D. Driveway Widths (rev. 12/19/98)

- a. The driveway width for one-way travel shall be a minimum of twelve (12) feet except for one, two, and three family residences.
- b. The driveway width for two way travel shall be a minimum of:
 - i. ten (10) feet for one, two, and three family houses;
 - ii. twenty-two (22) feet for all other uses.
- c. For driveways serving seven or fewer parking spaces, the Commission may allow the driveway to be reduced to a minimum of twelve feet. In making this determination, the Commission shall consider the amount of anticipated traffic, the length of the driveway, the type of activity on the property, and the character of the surrounding properties.
- d. Driveway widths shall be kept to the minimum required unless the applicant can demonstrate to the Commission that the additional width is necessary for the safe movement of traffic.

E. Circulation

All parking areas shall provide adequate means for the maneuvering of vehicles in and out of parking spaces, adequate sight distance throughout the parking area and an adequately controlled circulation pattern including where necessary the provision of traffic islands and curbing in order to insure the safety of motorists and pedestrians. Traffic islands shall be designed and situated so as to provide a turning radius of sufficient size to permit vehicles to navigate the turn into a parking space or into the proper lane of a driveway or street.

F. Sidewalks in Parking Areas

- a. Parking areas with more than fifty (50) spaces shall contain sidewalks:
 - i. Within such parking areas;
 - ii. Between all buildings on the site; and
 - iii. From the buildings to the public street, if sidewalks exist on the street and if required by the Commission.
- b. No parking space shall be more than 120 feet from a sidewalk.
- c. Sidewalks shall be a minimum of 4 feet wide.
- d. Sidewalks shall be protected from overhanging vehicles by wheel blocks, bollards, raising the sidewalks a minimum of five inches, or similar means.

G. Parking Space, Aisle, and Driveway Grades

- a. The minimum grade for all driveways, aisles, and parking spaces shall be one percent (1%).
- b. The maximum grade for all driveways and aisles shall not exceed 12%.
- c. A proposed driveway providing access from a street to seven (7) or more parking spaces shall have a maximum grade of six percent (6%) for the first forty (40) feet in from the existing edge of the street's pavement.
- d. The maximum grade along the cross slope of driveway or aisle shall be six percent (6%).
- e. The maximum grade along the length of each parking space shall be six percent (6%).
- f. The maximum grade along the width of each parking space shall be six percent (6%).

H. Sight Distances

Each driveway which connects a street with a parking area shall possess the minimum sight distance in accordance with the following:

- a. Driveways serving parking areas with between 1 and 100 spaces.

85th Percentile Speed of Intersecting Road =
Minimum Sight Distance in All Directions

<u>25 mph</u>	<u>30 mph</u>	<u>35 mph</u>	<u>40 mph</u>	<u>45 mph</u>
150 ft.	200 ft.	250 ft.	275 ft.	315 ft.

- b. Driveways serving parking areas with more than 100 spaces

85th Percentile Speed of Intersecting Road =
Minimum Sight Distance in All Directions

<u>25 mph</u>	<u>30 mph</u>	<u>35 mph</u>	<u>40 mph</u>	<u>45 mph</u>
250 ft.	300 ft.	350 ft.	400 ft.	450 ft.

- I. Each parking space shall have free access to an aisle or driveway except that on lots with one, two or three family residences or in multi-family developments parking spaces may be placed one behind the other provided that both spaces are assigned by lease or by similar legal agreement to the identical dwelling unit.
- J. Parking spaces within multiple family developments and for business and industrial uses shall be clearly marked. Directional travel signs shall be provided to distinguish between driveways and aisles for one and two way travel.
- K. Parking facilities shall be for transient parking of registered motor vehicles only. They shall not be used for sales, dead storage, repair work, dismantling or servicing of any kind except as permitted for garages and service stations.
- L. No parking shall be permitted in the required front yard except for the following:
 - a. One, two and three family residences;
 - b. The parking front yard setback in an Industrial Park Zone shall be twenty (20) feet.
- M. No parking within the R.R.C. and C.I.R. Zones shall be permitted with fifty (50) feet of a residential zone boundary.
- N. The angle of intersection between a driveway and the street shall be as close to ninety (90) degrees as possible. In no case shall the acute angle of intersection between a driveway and the street be less than seventy five (75) degrees. The curb radii at the intersection of a driveway and a street shall be commensurate with the type and volume of vehicular traffic anticipated to use such driveway.
- O. Except in the case of one, two, or three family residences no parking space shall have direct access to a public street. Except in the case of one, two and three family residences, vehicles shall not be permitted to back out onto a public street.

- P. When in the opinion of the Commission after consultation with the City Engineer and the local Traffic Authority, existing and anticipated traffic volumes and anticipated driveway queuing would result in driveway congestion, multiple outbound lanes for separate turning movements shall be provided. Such outbound turning lanes shall be eleven (11) feet in width.
- Q. All parking areas in an Industrial Park Zone, Local Business Zone or General Business Zone shall be paved.
- R. All regular parking spaces except those in an Industrial Park Zone, Local Business Zone or a General Business Zone shall, at a minimum, be treated with a rolled gravel surface. For one, two or three family residences, the rolled gravel surface shall have a minimum depth of 3 inches. For all other uses, the minimum depth shall be 6 inches.
- S. All handicapped parking spaces shall be paved.

5.13.3 Access and Sidewalk Requirements

- A. The access and driveway requirements contained in this section apply to the following:
 - a. All proposed driveways;
 - b. Existing driveways serving proposed or enlarged parking facilities.
- B. One-way and two-way driveways which service seven (7) or fewer parking spaces shall be located a minimum of fifty (50) feet from a street intersection, as measured from the center line of such driveway to the extension of the intersecting curbs.
- C. One-way and two-way driveways which service more than seven (7) parking spaces shall be located a minimum of one hundred (100) feet from a street intersection, as measured from the center line of such driveway to the extension of intersecting curbs.
- D. Where a lot contains frontage on more than one public street the Commission, after consultation with the City Engineer and the local Traffic Authority, may require that access to parking areas containing seven (7) or more parking spaces be provided from the street having less traffic volume.
- E. Multiple driveways must be approved by the Commission, after consultation with the City Engineer and the local Traffic Authority. Multiple driveway to one lot shall only be permitted where the applicant can demonstrate that such driveway entrances are necessary for fire protection or the safe and efficient movement of vehicular traffic on site and that the presence and location of said driveways do not interfere with the normal movement or queuing of traffic on the intersecting street.
- F. Driveways shall be designed to have sufficient capacity to accommodate the anticipated number of queuing vehicles and to prevent conflicts between such queuing and any parking spaces.
- G. Driveways having access to a State Highway shall be jointly approved by the State Department of Transportation and the Commission, after consultation with the City Engineer and the local Traffic Authority, except in the case of driveways serving one, two and three family residences.
- H. Except in the case of driveways serving one, two or three family residences, the Commission, after consultation with the City Engineer and local Traffic Authority, may require:

- a. Up to one hundred fifty (150) feet of separation distance between two-way driveways;
- b. Up to seventy-five (75) feet of separation distance between one-way driveways;
- c. Up to one hundred fifty (150) feet of separation distance between a one-way driveway and a two-way driveway.

The separation distances may be required whether or not the driveways are located on a single lot or on separate lots. The separation distances shall be measured from the center line of the driveway.

- I. All driveways and aisles in an Industrial Park Zone, Local Business Zone or General Business zone shall be paved.
- J. All driveways and aisles except in a Industrial Park Zone, Local Business Zone or General Business Zone shall, at a minimum, be treated with a rolled gravel surface. For one, two or three family residences, the rolled gravel surface shall have a minimum depth of 3 inches. For all other uses, the minimum depth shall be 6 inches. In addition, driveways for all uses shall be paved for a minimum of ten feet from the edge of pavement of the intersecting street.
- K. Where a lot has frontage on a State Highway and the abutting lots have sidewalks, the Commission, after consultation with the City Engineer, and the local Traffic Authority may, in conjunction with the State Department of Transportation, require the installation of a sidewalk with a minimum width of five (5) feet. The exact location of the sidewalk shall be determined by the above mentioned parties.
- L. Where a lot has frontage on a city street, the Commission, after consultation with the City Engineer and local Traffic Authority may require the installation of a sidewalk with a minimum width of five (5) feet. The exact location of the sidewalk shall be determined by the above mentioned parties.
- M. Access management is an approach that seeks to manage driveways and intersections on state highways and other major roads in Torrington to maximize roadway capacity and reduce congestion. Provisions for immediate or future driveway connections to adjoining lots of similar existing or potential uses shall be made when such driveway connections will facilitate efficient emergency response and/or when such connections will enable the public to travel between lots without the need to travel upon a street. The property owners' right to use and the obligation to maintain common driveways shall be assured by a written dedication and/or agreement to be recorded in the Torrington Land Records. Where street geometry, traffic volumes or traffic patterns warrant, the Commission may:
 1. Limit the number of driveways that provide access to a lot from the street.
 2. Designate the location of any street access.
 3. Require the use and/or provision of a common driveway with an adjoining lot, an access easement to an adjoining lot for shared access, and limit access to a major street and require access from a minor street.
 4. As part of an application approval, the Commission may require an applicant or owner to:
 - a. Establish mutual driveway or other easements to provide a single point of access for two or more abutting lots in a location acceptable to the Commission.
 - b. File such easements on the land records in favor of the abutting lot owners and/or the City of Torrington as shall be acceptable to the Commission and the Corporation Counsel, and/or

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- c. Utilize a mutual driveway or other easement that exists on an abutting lot in lieu of having a separate curb cut onto a road or street.
- 5. Parking spaces lost or abandoned to an interconnect may be exempted from the minimum parking requirements by the Commission.
- 6. Owners shall have the right and may allow their Tenants (which may include the owners) to advertise on both free standing signs, approved in accordance with Section 5.15.4 of the Regulations, and incidental directional signs located on a lot that has a common driveway and/or a shared access easement with the owner's lot.

5.13.4 Required number of Off-Street Parking Spaces

- A. Off-street parking facilities as required by Section 5.13.1 shall contain the minimum number of parking spaces as described in Table 1 below. Where more than one land use occupies a lot, the total number of parking spaces required shall be cumulative.
- B. The Commission may, by special exception, allow a twenty five percent reduction in the amount of required parking when a change of use occurs in a building existing on the effective date of this regulation (eff. 12/1/93). The applicant must demonstrate to the satisfaction of the Commission that:
 - a. the reduction will not create, or add to, an unsafe traffic situation; and
 - b. there is no practical or feasible means of expanding the parking area.

Table 1

Use Code	Use	Parking Requirement
1.00	Residential Uses	
1.10	Single Family, Detached	2 spaces per dwelling unit
1.15	Affordable Housing: Single Family Detached	2 spaces per dwelling unit
1.20	Two Family Residence	2 spaces per dwelling unit
1.25	Two Family: Primary Residence + Accessory Apartment	3 spaces
1.27	Three Family Residence	6 spaces
1.30	Multi-Family Residences	2 spaces per dwelling unit for units with 2 or more bedrooms, OR 1.5 per dwelling unit for one bedroom units, OR 1 per unit for efficiency units In addition to the above, 1 visitor space for every four units except in the General Business District
1.39	Affordable Housing: Multi-Family Housing	2 per dwelling unit for units with 2 or more bedrooms, OR 1.5 per dwelling unit for one bedroom units OR 1 per unit for efficiency units PLUS 1 visitor space for every four units except in the General Business District
1.40	Nursing Homes	1 for every 3 beds
1.50	Congregate Care Facilities	1 for every 3 beds
1.55	Elderly Retirement Housing & Assisted Living Facility	1.00 spaces per independent living unit 1.00 spaces per 3 bedrooms for assisted living units
1.60	Boarding Houses	
1.65	Boarding House with less than 3 boarders	1 per bedroom
1.66	Boarding House with more than 2 boarders & less than 15 boarders	1 per bedroom
1.67	Boarding House with 15 or more boarders	1 per 3 bedrooms
1.80	Care Facilities	1 per 3 residents
1.90	Mobile Home Park & Recreational Vehicle Park	2 spaces per home site
2.00	Educational, Cultural, Religious, Child Care, Philanthropic, Social & Fraternal Uses	
2.05	Elementary Schools - Grades K-8	1.1 per employee OR 1 per 4 seats in the auditorium whichever is greater
2.08	Secondary, Trade, & Vocational Schools	1 per 6 students PLUS 1 per employee OR 1 per 4 seats in the auditorium, whichever is greater
2.09	Colleges & Universities	1.5 spaces per 2 students
2.10	Churches, Synagogues & Other Places of Worship including	1 per 4 seats in the portion of the building used for services PLUS spaces for any residential uses as

	associated residential units for religious personnel & other associated buildings	determined in accordance with the parking requirements set forth for residential uses.
2.15	Libraries & Museums	1 per 300 square feet of gross floor area
2.20	Social & Fraternal Clubs, Union Halls	1 per 300 square feet of gross floor area
2.30	Child Day Care Center	1 space per 6 children at maximum capacity
2.40	Group Day Care Center	No requirements
2.50	Family Day Care Home	No requirements
2.60	Hospital	1.5 spaces per bed
2.70	Adult Day Care	1 space per 6 individuals at maximum capacity
3.00	Sales & Rental of Goods, Merchandise or Equipment - no storage or display of goods outside fully enclosed building	
3.10	Retail Stores	1 per 250 square feet of gross floor area
3.12	Retail Stores with Drive Through Window	1 per 250 square feet of gross floor area PLUS 5 spaces per drive through window
3.15	Bakeries - Retail	1 per 350 square feet of gross floor area
4.00	Personal Services	
4.10	Banks	1 per 300 square feet of gross floor area
4.15	Banks with Drive-In Window	1 per 300 square feet of gross floor area PLUS 5 spaces in stacking area per drive-in teller window
4.20	Funeral Home	1 per 3 seats
4.30	Beauty Parlor	1 per 350 square feet of gross floor area
4.40	Dry Cleaners	1 per 350 square feet of gross floor area
4.50	Barber Shop	1 per 350 square feet of gross floor area
4.60	Gymnasiums & Physical Fitness Centers	1 per 200 square feet of gross floor area
4.70	Tailor Shops	1 per 350 square feet of gross floor area
4.80	Shoe Repair Shops	1 per 350 square feet of gross floor area

4.90	Hotels and Motels	1 space per room
4.95	Bed and Breakfast	1 space per room
4.99	Other Personal Services	1 per 350 square feet of gross floor area
5.00	Offices - Operations designed to attract and serve customers & clients on the premises	
5.10	Attorneys	1 per 350 square feet of gross floor area
5.20	Physicians	1 per 250 square feet of gross floor area
5.30	Nurse Practitioners	1 per 250 square feet of gross floor area
5.40	Insurance Agents	1 per 350 square feet of gross floor area
5.50	Stock Brokers	1 per 350 square feet of gross floor area
5.60	Real Estate Agents	1 per 350 square feet of gross floor area
5.70	Accountants	1 per 350 square feet of gross floor area
5.80	Other Offices	1 per 350 square feet of gross floor area
5.90	Radio & TV Stations	1 per 350 square feet of gross floor area
6.00	Recreation, Amusement & Entertainment	
6.10	Activity conducted entirely within a building	1 per 200 square feet of gross floor area
6.15	Bowling alleys, skating rinks, indoor tennis, squash & racquetball courts, pool & billiard halls	1 per 200 square feet of gross floor area
6.18	Theaters for Movies & Plays	1 space per 4 seats.
6.20	Activity conducted primarily outside enclosed building	1 space per 3 persons at outdoor facility's maximum capacity PLUS 1 space per 200 square feet of gross floor area of buildings
6.22	Golf & Country Clubs	1 space per 3 persons at outdoor facility's maximum capacity PLUS 1 space per 200 square feet of gross floor area of buildings
6.24	Tennis & Swim Clubs	1 space per 3 persons at outdoor facility's maximum capacity PLUS 1 space per 200 square feet of gross floor area of buildings
6.26	Golf Drive Ranges, Miniature Golf Courses, Skateboard Parks, Water Slides & similar uses	1 space per 3 persons at outdoor facility's maximum capacity PLUS 1 space per 200 square feet of gross floor area of buildings
6.27	Golf Courses	1 space per 3 persons at outdoor facility's maximum capacity PLUS 1 space per 200 square feet of gross floor area of buildings
6.28	Automobile & Motorcycle Racing Tracks	1 space per 3 seats
6.29	Other Outdoor Activities	1 space per 3 persons at outdoor facility's maximum capacity PLUS 1 space per 200 square feet of gross floor area of buildings

7.00 Restaurants, Bars, & Night Clubs		
7.10	Restaurant with no substantial carry-out or delivery service, no drive in service, no service or consumption outside fully enclosed building	4 spaces per 10 seats
7.20	Restaurant with no substantial carry-out or delivery service, no drive in service, no service and consumption allowed outside fully enclosed building	4 spaces per 10 seats
7.30	Restaurant with carry-out & delivery service allowed, consumption outside fully enclosed structure	1 space per 100 square feet of gross floor area PLUS 4 per 10 seats located outside the structure
7.40	Carry out & delivery service, drive-in service service or consumption	1 space per 100 square feet of gross floor area PLUS 6 stacking spaces per drive-in window PLUS 4 spaces per 10 seats located outside the structure
7.50	Restaurants, including taverns & other places licensed to sell alcoholic beverages	1 space per 100 square feet of gross floor area
8.00 Automobile Establishments		
8.10	Motor Vehicle Sales or Rental; Mobile Home Sales or Rental	1 space per 250 square feet of gross floor area
8.20	Service & Sales with Installation of Motor Vehicle Parts or Accessories (eg tires, mufflers, etc.)	1 space per 250 square feet of gross floor area PLUS 2 spaces per garage bay
8.30	Motor Vehicle Repair or Service	3 spaces per garage bay
8.40	Sales of Gasoline	1 space per 250 square feet of gross floor area
8.50	Car Wash	6 spaces per fixed stall equipped for washing, drying, etc. Parking spaces need not be stalls but may be waiting space in driveway
8.60	Motor Vehicle Painting & Body Work	1 space per 250 square feet of gross floor area
9.00 Parking & Storage		
9.10	Automobile Garages or Parking Lot which is the Principle use on the Lot	1 space allowed per vehicle
9.20.A	Warehouses Where All Storage is within a Completely Enclosed Structure	1 space per 2,000 square feet of gross floor area
9.20.B	Self- service storage warehouse	1 space per 10 compartments

9.30/9.31	Warehouse Where Storage is Inside or Outside a Completely Enclosed Structure	1 space per 2,000 square feet of area used for storage
9.40	Parking of Vehicles or Storage of Equipment Outside Enclosed Structure where Parking or Storage is more than a minor or incidental Use of the Lot. (e.g. Storage of Construction Equipment)	1 space allowed per vehicle
10.00	Services & Business Related to Animals	
10.10	Veterinarian	1 space per 250 square feet of gross floor area
10.20	Kennel	1 space per 250 square feet of gross floor area
10.30	Public Stables	1 space per 3 persons at facility's maximum capacity
11.00	Junk Yards, Scrap Materials Salvage Yards, Recycling Centers & Automobile Graveyards	1 space per 250 square feet of gross floor area
12.00	Agricultural Operations	
12.10	Farms	1 space per employee at maximum shift
12.20	Farmer's Roadside Stand	1 space per 250 square feet of gross floor area
12.30	Commercial Greenhouses	1 space per 250 square feet of gross floor area
13.00	Excavating, Mining & Quarrying	1 space per employee at maximum shift
14.00	Cemetery & Crematorium	1 space per employee at maximum shift
16.00	Bus Station & Train Station	1 space per 200 square feet of gross floor area
18.00	Building & Uses of the City of Torrington	Refer to comparable use
19.00	Manufacturing, Processing, Creating, Repairing, Renovating, Painting, Cleaning or Assembling of Goods, Merchandise or Equipment	1 space per 650 square feet of gross floor area; the Commission may, by special exception, allow a maximum of 50% reduction in the amount of required parking, provided that the applicant can demonstrate that the required parking is not needed and that there is sufficient space on the lot to accommodate the required parking in the future
19.05	Print Shops, Sign Painters, Photocopying Centers, Newspaper Production	1 space per 350 square feet of gross floor area
20.00	Utility Companies & Energy Production	1 space per employee
21.00	Temporary Outdoor Uses - Carnivals, Fairs, Auctions	1 space per 1,000 square feet of area used

B. Handicapped Parking

- a. Except for one, two and three family residences, handicapped parking spaces shall be provided in addition to the spaces required in Section 5.13.4.
- b. Handicapped parking spaces shall be as near as possible to a building entrance or walkway they are intended to service (Effective 8-17-01)
- c. Handicapped Parking to comply with PA 04-237. Each handicapped parking space shall be 15 feet wide including 5 feet of cross hatch. Each handicapped van parking space shall be 16 feet wide including 8 feet of cross hatch located on the right side of the vehicular approach to the space. Handicapped parking spaces shall be identified by the above grade signs with white lettering on a blue background bearing the words “HANDICAPPED PARKING PERMIT REQUIRED” and “VIOLATORS WILL BE FINED” in addition to the International Symbol of Accessibility. The height of the signs shall have an 8 foot clearance from the installation surface to the bottom of the sign to conform to the Federal Manual on Uniform Traffic Control Devices (MUTCD). When such a sign is replaced, repaired or erected it shall indicate the minimum fine for a violation as imposed by the City. **Rev. 2/1/06**
- d. Each handicapped parking space shall have a surface with a gradient not more than one unit vertical to 50 units horizontal (1:50), 2% maximum slope. Accessible parking spaces for vans used by persons with disabilities shall have a height of 114 inches (9.5 feet), at the space and along the vehicular route thereto and shall have an access aisle of 96 inches (8 feet) in width minimum. (Effective 8-17-01)
- e. The minimum number of handicapped spaces shall be as follows. (Effective 08-17-01)

TOTAL NON-HANDICAPPED PARKING SPACES	REQUIRED NUMBER OF HANDICAPPED SPACES (Including Van Spaces)	REQUIRED NUMBER OF HANDICAPPED VAN SPACES
Up to 25	1	1
26 to 50	2	1
51 to 75	3	1
76 to 100	4	1
101 to 150	5	1
151 to 200	6	1
201 to 300	7	1
301 to 400	8	1
401 to 500	9	2
501 to 1000	2% of total	For every 8 or fraction of 8 handicapped accessible parking spaces, at least one shall be a van accessible parking space
over 1000	20 Plus 1 for each 100 spaces over 1000	For every 8 or fraction of 8 handicapped accessible parking spaces, at least one shall be a van accessible parking space

5.13.5 Off-Street Loading Requirements

- A. Off-street loading spaces shall be provided at the time of the erection, alteration, or enlargement of any building or change of use of such building except in the case of a change of use of an existing building within the General Business Zone.
- B. All off-street loading spaces shall be on the same lot with the buildings they are intended to serve.
- C. All off-street loading spaces shall be adjacent to the buildings they are intended to serve.
- D. Loading spaces shall be a minimum of ten (10) in width and thirty-five (35) feet in length and rectangular in shape.
- E. In providing the loading spaces, adequate provision shall be made for turning radius, back up area, and access.
- F. The minimum required number of off street loading spaces is as follows.

Use Code	Use	Gross Floor Area (in square feet)	Number of Spaces
1.40	Nursing Homes	10,000 - 100,000 each additional 100,000	1 1
1.50	Congregate Care Facilities	10,000 - 100,000 each additional 100,000	1 1
2.00	Educational, Cultural, Religious, Child Care, etc.	10,000 - 100,000 each additional 100,000	1 1
3.00	Retail Uses	10,000 - 40,000 each additional 40,000	1 1
4.00	Personal Services	15,000 - 100,000 each additional 100,000	1 1
5.00	Professional Offices	15,000 - 100,000 each additional 100,000	1 1
6.10	Recreation, Activity Conducted Entirely within Building	10,000 - 100,000 each additional 100,000	1 1
7.00	Restaurant, Bars, & Night Clubs	10,000 - 25,000 each additional 25,000	1 1
9.20	Warehouse except Self Storage	5,000 - 40,000 each additional 40,000	1 1
9.30	Warehouse	5,000 - 40,000 each additional 40,000	1 1
19.00	Manufacturing	5,000 - 40,000 each additional 40,000	1 1

5.14 Restricted Residential Community

No additional Restricted Residential Community (R.R.C.) zoning districts shall be allowed. The R.R.C. districts in existence at the time of the passage of this regulation shall remain. Any proposed change in the development plans approved as part of the adoption of a R.R.C. district shall be brought before the Planning and Zoning Commission. Any such change shall conform to the R.R.C. regulations in effect at the time of the R.R.C. district's adoption. If the Commission determines the changes are significant, the Commission shall require the applicant to apply for approval of the changes. The application for the changes to the development plans shall be subject to the regulations that apply for a change to the zoning map.

5.15 Signs (Rev. 7/31/96)

5.15.1 Computing the Area and Height of Signs

A. The area of a sign shall be computed by including the entire area within the smallest square, circle, rectangle, triangle or combination thereof that will encompass the extreme limits of the form, illumination, symbol, writing or other display. Any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or building against which it is placed shall be included in the area.

5.15.2 Signs Permitted by Type and Zoning District (Rev. 12/19/98)

- A. Signs shall be permitted only in accordance with Tables 1 and 2 below. The letter "S" in the Tables means a sign is allowed in the zoning district only with a zoning permit. The letter "P" in the Tables means a sign is allowed without obtaining a zoning permit. The letter "N" means the sign is not allowed. The letters "NA" mean "not applicable". The letter "E" means allowed by special exception.
- B. Signs requiring a zoning permit shall also require site plan approval from the Commission if the area of the sign is greater than 50 square feet. The Zoning Enforcement Officer may refer a sign less than 50 square feet in area to the Commission for site plan approval if, in the opinion of the Zoning Enforcement Officer, the sign would have a significant impact on the appearance of the property or the surrounding area. (Rev. 8/2/99)
- C. Although a sign is permitted it must also conform to all other restrictions imposed by these regulations.

Table 1: Signs by Type for Non-Residential Uses in Non-Residential Zoning District

Sign Type	Zoning District				
	GB	LB	I	IP	CIR
Free Standing Sign	S	S	S	S	S
Wall Sign	S	S	S	S	S
Marquee	S	S	N	N	S
Portable Sign (rev. 7/23/03)	S*	S*	N	N	N
Temporary Sign	S	S	S	S	S
Projecting Sign (rev. 11/26/03)	S**	N	N	N	N
Window Sign	P	P	P	P	P
Roof Sign	S	S	S	S	S
Incidental Sign	P	P	P	P	P
Off-Premise Sign E	N	S	E	N	

Canopy Sign	S	S	S	S	S
Construction Sign	S	S	S	S	S
Residential Sign	NA	NA	NA	NA	NA
Banner	S	S	S	S	S
City Sponsored Banner - Lamppost placement may include off-premises advertising within the public right of way (7/20/06)	P	N	N	N	N
Flag	S	S	S	S	S
Farm Directional	S	S	S	S	S

* Portable signs are permitted with zoning permit approval provided that the property has a sidewalk in front of the business and is not able to post a free standing sign per Section 5.15.4. The portable sign location shall be approved by the Zoning Enforcement Officer. Portable signs shall be posted only during the hours a business is open. Only one portable sign is permitted per business and shall not exceed 10.5 sq. ft. in size. The area of the portable sign shall be included in the calculations of maximum sign area as shown in Section 5.15.3 (rev. 7/23/03).

**Standards for projecting signs: (rev.11/26/03)

1. The bottom edge of a projecting sign shall be at least eight (8) feet above ground level when located in an area where the public walks.
2. No projecting sign shall extend more than six (6) feet from the wall to which it is attached or extend beyond a vertical plane that is two (2) feet inside the curb line whichever is less.
3. No part of a projecting sign shall be above the height of the building;
4. Only one side of a projecting sign shall be included in the computation of sign area.

Table 2: Signs by Type for Non-Residential Uses in Residential Zoning Districts and Residential Uses in All Districts

<u>Sign Type</u>	<u>Non-Res. Uses in Res. Districts</u>	<u>Res. Uses In All Districts</u>
Free Standing Sign	S	S
Wall Sign	S	S
Marquee	N	N
Portable Sign	N	P
Temporary Sign	S	P
Projecting Sign	N	P
Window Sign	N	P
Roof Sign	N	N
Incidental	P	P
Off-Premise Sign	N	N
Canopy Sign	S	N
Construction Sign	S	S
Residential Sign	NA	P
Banner	N	N
Flag	N	N
Residential Development Sign	NA	S
Farm Directional Sign	S	S

5.15.3 Maximum Total Sign Area

- A. Except as specified below, the maximum total sign area of all signs on a lot shall not exceed the lesser of the following four criteria found in Tables 3 and 4 below:
 - a. maximum total square feet of sign area;

- b. total sign area as a percentage of ground floor area of building;
 - c. square foot of sign area per linear foot of street frontage; and
 - d. maximum total square feet of sign area per dwelling unit.
- B. The maximum total sign area in Section 5.15.3.A. above shall not result in a reduction of the total allowable sign area to less than 30 square feet for any non-residential use in a non-residential zoning district.
- C. In Local Business, General Business, and C.I.R. zones, any building(s) exceeding 20,000 square feet in gross floor area and with more than one tenant shall be subject to the following restrictions on sign area. **(Eff. 3/8/07)**
- a. Each tenant shall be allowed a maximum of one square foot of sign area per linear foot of front building wall. The linear footage along the front of the building shall be measured along the part of the building actually occupied by the tenant.
 - b. The sign area of a free standing sign shall not be included in the area attributed to individual tenants.
 - c. The other restrictions on free standing signs in Section 5.15.4 shall apply.
- D. Incidental signs and unilluminated window signs are not included in the calculation of maximum total sign area.
- E. Temporary signs for residential uses are not included in the calculation of maximum total sign area.
- F. Signs required by the State or Federal Government shall not be included in the calculations of total sign area provided the number and size of such signs shall be kept to the minimum required by the State or Federal Government.
- G. Menu boards used for drive-in windows shall not be included in the calculations of total sign area provided that the messages on such menu boards are not legible from a public right of way.
- H. The area of an off premise sign allowed by special exception in the General Business zone shall not result in the total sign area for all signs on the property exceeding the property's maximum allowable sign area as determined by Sections 5.15.3.A and 5.15.3.C above. (Added 12/19/98)

Table 3: Maximum Total Sign Area for Non-Residential Uses in Non-Residential Districts

Criteria	GB	LB	I	IP	CIR	
Max. Total Square Feet of Sign Area		500	500	500	500	500
Total Sign Area as a Percentage of Ground Floor Area of Building		4%	6%	4%	4%	4%
Square Foot of Sign Area Per Linear Foot of Street Frontage		2	2	2	2	2
In Local Business, General Business, and C.I.R. Zones, any building(s) exceeding 20,000 square feet in gross floor area and with more than one tenant shall be subject to the following restrictions on sign area (eff. 3/8/07) each tenant shall be allowed a maximum of one square foot of sign area per linear foot of front building wall. The linear footage along the front of the building shall be measured along the part of the building actually occupied by the tenant.		1	1	N/A	N/A	1
Maximum Number of Total Square Feet per Dwelling Unit		NA	NA	NA	NA	NA

Table 4: Maximum Total Sign Area for Non-Residential Uses in Residential Districts and Residential Uses in All Districts

Criteria	Non-Res. Uses in Res. Districts	Res. Uses in All Districts
Max. Total Square Feet of Sign Area	50	50
Total Sign Area as a Percentage of Ground Floor Area of Building	2%	NA
Square Foot of Sign Area Per Linear Foot of Street Frontage	.5	NA
Max. Number of Total Square Feet per Dwelling Unit	NA	1

This section does not apply to home occupations permitted under Section 5.10 of the Zoning Regulations. Only Free-standing signs per Section 5.15.4I are permitted for home occupations.
(Rev. 7/23/03)

5.15.4 Free Standing Signs

- A. Except as described in Section F below, the area of free standing signs shall be included in the calculations of maximum sign area as shown in Section 5.15.3.
- B. Except as described in Section F below, there shall be a maximum of one free standing sign per street on which the lot fronts.
- C. Only one side of a free standing sign shall be included in the computation of sign area. The supporting framework or structure shall not be included in the sign area.
- D. The height of a free standing sign shall be computed as the distance from the grade at the sign's base to the top of the highest attached component of the sign. The grade cannot be altered by filling, berming, excavating or other means for the purpose of altering the height of the sign.
- E. Free standing signs shall not interfere with any sight lines on streets or driveways.
- F. In General Business, Local Business and C.I.R. zones the following requirements shall apply.
 - a. The maximum height of a free standing sign shall be **17** feet. (rev. 2/26/09)
 - b. The maximum sign area of each free standing sign shall be 125 square feet.
 - c. The free standing sign shall be at least 10 feet from a side or rear property line.
 - d. The number and size of free standing sign(s) on a lot with a building(s) exceeding 20,000 square feet in gross floor area and with more than one tenant may be increased provided a special exception is obtained.
- G. In Industrial and Industrial Park zones the following requirements shall apply.
 - a. The maximum height of a free standing sign shall be 8 feet.
 - b. The maximum sign area of a free standing sign shall be 35 square feet.
 - c. The free standing sign shall be at least 10 feet from a side or rear property line.
- H. In RRC, R-10, R-10s, R-15, R-15s, R-25, R-40, R-60, R-WP and R-6 zoning districts the following requirements shall apply.
 - a. The maximum height of a free standing sign shall be 5 feet.
 - b. The maximum sign area of a free standing sign shall be 20 square feet.
 - c. The free standing sign shall be at least 10 feet from any property line.
- I. Home Occupation Sign: The maximum sign area for a free standing sign permitted for a sign posted for a home occupation shall not exceed 10.5 square feet. (Rev. 7/23/03)

5.15.5 Farm Directional Sign

Off premise directional signs for farms are intended to aid drivers in getting to the farm. They are permitted provided all of the following conditions are met.

- A. The directional sign furthest from the farm shall be no more than 4.5 miles from the farm.
- B. Directional signs shall be located along only one route to the farm.
- C. A directional sign shall be located only at each street intersection at which a driver is to turn to reach the farm. Only one directional sign per such intersection is allowed.
- D. Each directional sign shall be no more than three square feet in area.
- E. No directional sign shall be placed in a City or State right of way.
- F. A directional sign shall not be considered in computing the maximum allowable signage on a property.
- G. A directional sign shall not be illuminated.

5.15.6 Roof Signs

No part of a roof sign may project above the highest part of the roof to which it is attached.

5.15.7 Illumination

- A. Signs may be illuminated either internally or externally. If the sign is illuminated by an external source, the illumination shall be directed only onto the sign. No illumination shall shine directly into a public right of way or a residential use.
- B. If a window sign is illuminated it shall be treated as a wall sign.
- C. No sign may contain or be illuminated by flashing or intermittent lights or lights of changing degrees of intensity except signs indicating the time, date and temperature.

5.15.8 General Prohibitions

- A. Signs that revolve, move, or appear to move are prohibited.
- B. Signs, or any part thereof, that are animated or change electronically are prohibited. Signs indicating the time, date, and temperature are exempt from this restriction.
- C. No sign may be located so that it interferes with the view necessary for the safe movement of vehicles or pedestrians.
- D. Beacons, pennants, streamers, propellers, inflatable signs, balloons, and flashing or intermittent lights are prohibited.
- E. Exterior illuminated tubing or strings of lights that outline property lines, roof lines, doors, windows, sales areas or similar areas are prohibited.
- F. No sign shall be painted directly on the exterior surface of any wall.

5.15.9 Maintenance of Signs

- A. All signs, and components thereof, shall be maintained in good structural condition.
- B. Except for routine maintenance sign facing shall not be removed so as to expose the inside of an internally illuminated sign.

5.15.10 Non-conforming Signs

- A. Legally nonconforming signs existing on the effective date of this regulation may be continued. A nonconforming sign may not be enlarged or illuminated - if not previously illuminated - or altered to create any additional nonconformity.
- B. The message of a nonconforming sign may be changed provided no new non-conformity is created.
- C. Any nonconforming sign which advertises, identifies, or pertains to any activity no longer in existence shall be removed by the owner of the property within 60 days from the time the activity ceases. This provision shall not apply to seasonal activities during the regular periods in which they are closed.

5.15.11 Exceptions (Rev. 12/19/98)

The following signs are exempt from regulation except for Section 5.15.8.C and Section 5.15.9.

- A. Flags of Federal, State or municipal governments.
- B. Flags of other nations or non-profit organizations.
- C. Signs on mailboxes or newspaper tubes.
- D. Displays including lighting erected in connection with the observance of specific holidays. Such displays shall contain no elements not directly related to the holiday. Such displays shall be removed within 14 days following the holiday.
- E. Signs containing the message that the lot or building on which the sign is located is for sale, lease, or rent together with information identifying the owner or agent. Such signs may not exceed thirty two square feet in area and shall be removed immediately after sale, lease or rental.
- F. Signs which are not visible from a public right of way.
- G. Off-premise signs placed on facilities owned or operated by the City of

Torrington provided the individual sign is no more than thirty two square feet in area, unilluminated, and no more than ten foot above grade.

5.15.12 **Permits** (Rev. 8/2/99)

- A. Signs identified as "S" or "E" in Tables 1 and 2 of this Section shall be erected, installed, created or modified only in accordance with a duly issued zoning permit from the Zoning Enforcement Officer.
- B. An application for the installation, construction, creation or modification of a sign shall be accompanied by detailed drawings to show the dimensions, design, structure, illumination, and location of each sign. The dimensions, design, structure, illumination and location of all signs on the property may be required if, in the opinion of the Zoning Enforcement Officer, the information is necessary to determine compliance with the regulations.

5.16 **Tree Regulations**

5.16.1 **Intent**

Trees are an essential natural resource. It is the intent of these regulations to provide protection for this resource by minimizing the loss of trees from development.

5.16.2 **Applicability of Tree Regulations**

- A. The following regulations shall apply to:
 - a. local business, general business, industrial and industrial park districts; and
 - b. all uses, in all districts, requiring a special exception and/or site plan approval.
- B. For all special exception applications and site plan applications, the City Planner shall inspect the parcel to determine if any specimen trees are within the proposed construction area. If, in the judgment of the City Planner, specimen trees are within or near the proposed construction area, the City Planner, within fifteen days after receiving the application, shall write to the applicant instructing the applicant to locate the specimen trees on the site plan. In the case of parcels over five acres, the applicant may designate on the plans a portion of the parcel as containing specimen trees rather than locating individual trees. If the applicant proposes to remove any specimen tree, the applicant shall demonstrate to the Commission's satisfaction that there is no reasonable alternative to the removal of the specimen tree.
- C. For all special exception applications and site plan applications, the City Planner shall inspect the parcel to determine if any significant trees within the protected tree area are to be removed for purposes other than parking areas, driveways, sidewalks, or utilities. If, in the judgment of the City Planner, significant trees within or near the protected tree area are to be removed for purposes other than parking areas, driveways, sidewalks, or utilities, the City Planner, within fifteen days after receiving the application, shall write to the applicant instructing the applicant to locate on the site plan the area in which significant trees are to be removed. The applicant shall demonstrate to the Commission's satisfaction that there is no reasonable alternative to the removal of the significant trees within the protected tree area.
- D. In approving the removal specimen or significant trees the Commission may require the applicant to plant additional trees with a minimum caliper of 2.5 inches.
- E. No more than 25% of the area within the drip line of the significant and specimen trees to be preserved shall be disturbed or covered with an impervious surface. In addition, the disturbed area or impervious surface shall be at least three feet from the tree trunk.

5.16.3 Protection of Significant Trees and Specimen Trees During Construction

- A. The area surrounding all significant and specimen trees that are within the construction area and are to be preserved shall be clearly marked prior to the start of any construction activities.
- B. The area within the drip line of the trees to be preserved shall remain free of all building materials, fill, vehicles, and debris.

5.16.4 Long Term Protection of Significant Trees and Specimen Trees

For specimen trees and significant trees that are to be preserved, tree wells and/or tree walls shall be provided to prevent changes in grade of more than 6 inches within the drip line of the trees.

5.16.6 Emergencies

In the event that a significant tree or specimen tree, that is shown on an approved plan as being preserved, poses a serious and imminent threat to public safety due to death, disease or damage resulting from a natural or man-made disaster, the City Planner may authorize the removal of the tree(s). The City Planner shall submit a written report to the Commission describing the reasons for authorizing the removal. The Commission may require the property owner to replace the removed trees with trees that have a total caliper equal to that of the removed tree.

Section 5.17 Outdoor Lighting Regulations (Effective 2/2/01)

5.17.1 Purpose

The purpose of these regulations is to provide specific standards in regard to lighting, in order to maximize the effectiveness of site lighting to enhance public safety and welfare, to avoid unnecessary upward illumination and illumination of adjacent properties, and to reduce glare. All business, residential, and community roadways, sidewalks, and town property luminaries should be planned and installed with the idea of being a “good neighbor” by keeping unnecessary direct light from shining onto abutting properties or roadways, both public and private.

Except as herein provided, these regulations shall apply to any outdoor lighting fixture installed, modified or refurbished within the City of Torrington. This regulation applies to all sites located in nonresidential zones and Special Exception uses in residential zones.

5.17.2 Definitions:

Direct light: light emitted directly from the lamp, off of the reflector or reflector diffuser, or through the refractor or diffuser lens, of a luminaire.

Direct light source: the lamp or bulb that produces the actual light.

Full Cut-Off Type Fixture: A luminaire or light fixture that; by design of the housing, does not allow any light dispersion or direct glare to shine above a 90 degree horizontal plane from the base, or the purpose of the design is defeated, and disability glare will result.

Fully Shielded Lights: Fully shielded luminaire light fixtures allow you to control the glare in any direction.

Glare: Light emitting from a luminaire with an intensity great enough to reduce a viewer’s ability to see, and in extreme cases causing momentary blindness.

Height of Luminaries: The height of luminaries shall be the vertical distance from the ground directly below the centerline of the luminaire to the lowest direct-light-emitting part of the luminaire.

Indirect Lighting: Direct light that has been reflected or has scattered off of other surfaces.

Isodiagram: An Isodiagram is a graphical representation of points of equal illuminance drawn as single line circular patterns or computer generated spot readings in a grid pattern on a site plan. Lighting designers and manufacturers generate these diagrams to show the level and evenness of a lighting design and to show how light fixtures will perform on a given site.

Lamp: The light source component of luminaries that produces the actual light.

Light Pollution: Stray or reflected light that is emitted into the atmosphere, beyond the 90-degree horizontal plane. Dust, water, vapor and other pollutants reflect this light causing unwanted sky-glow.

Light Trespass: Light from an artificial light source that is intruding into an area where it is not wanted or does not belong.

Lumen: A unit of luminous flux. One-foot candle is one lumen per square foot. For the purposes of this regulation, the lumen-output values shall be the INITIAL lumen output ratings of a lamp.

Luminaire: A complete lighting system, and includes a lamp or lamps and a fixture.

Outdoor Lighting: The night-time illumination of an outside area or object by any man-made device located outdoors that produces light by any means.

Ratio: Uniformity ratio, describing the average level of illumination in relation to the lowest level of illumination for a given area. Example: U.ratio = 4:1 for the given area, the lowest level of illumination (1) should be no less than 1/4 or 4 times less than the average (4) level of illumination.

Uplighting: Any light source that distributes illumination above a 90 degree horizontal plane.

5.17.3 **Lighting Plan:**

Outside lighting for non-residential and multi-family uses will be subject to a Site Plan review, unless waived in writing by the City Planner, and shall be accompanied by a lighting plan showing:

- A. The location, height and type of any outdoor lighting luminaries, including building mounted;
- B. The luminaire manufacturer's specification data, including lumen output and photometric data showing cutoff angles;
- C. The type of lamp: metal halide, compact fluorescent, high pressure sodium;
- D. The Commission may require an Isodiagram showing the intensity of illumination expressed in foot candles at ground level.

5.17.4 General Requirements:

- A. All exterior lights and illuminated signs shall be designed, located, installed and directed in such a manner as to prevent objectionable light trespass at (and glare across,) the property lines and disability glare at any location on or off the property. The “maintained horizontal luminance recommendations” set by the Illumination Engineering Society of North America (IES) shall be observed (See Appendix A & B) All lighting for parking and pedestrian areas will be full cut-off type fixtures. Floodlighting is prohibited.
- B. Lighting for display, building and aesthetics must be shielded to prevent direct glare and/or light trespasses and must also be, as much as physically possible, contained to the target area. All building lighting for security or aesthetics will be full cut off or a fully shielded/recessed type, not allowing any upward distribution of light.
- C. Adjacent to residential property and in all residential zones, no direct light source will be visible at the property line at ground level or above.
- D. Gasoline Service Stations. Maintained illumination recommendations set by the Illuminating Engineering Society of North America (see Appendix B) will be observed and not exceeded. All area lighting will full cutoff. Lighting under canopy shall contain a lens that is flush with the bottom surface, to reduce off-site glare for roadways. Special consideration, by Special Exception permit, shall be given to maintain a uniformity with similar uses in the vicinity.
- E. All street lighting shall be “cut-off” fixtures.
- F. Outdoor playing areas. Where playing fields or other special activity areas are to be illuminated, lighting fixtures shall be specified, mounted and aimed so that their beams fall within the primary playing area and immediate surroundings, and so that no direct illumination is directed off the site.
- G. Employ soft, transitional light levels, which are consistent from area to area. Minimize contrast between light sources, lit areas and dark surroundings.
- H. All non-essential lighting, except signs, will be required to be turned off after business hours, leaving only the necessary lighting for site security - motion or infrared sensor lighting is encouraged.
- I. Ornamental lighting designed to highlight flagpoles, sculptures or landscape feature should be targeted directly at the object and should not extend 10% beyond the perimeter of the object.
- J. The height of luminaries, except streetlights in public right-of-ways, shall be the minimum height necessary to provide adequate illumination, but shall not exceed a height of 24 feet, including the base.
- K. Exemptions: Traditional seasonal lighting and temporary lighting used by Police, Fire Department or Emergency services are exempt from these regulations.

Appendix A

**IES PARKING LOT LEVELS
HORIZONTAL
OF ACTIVITY (Examples)**

**IES MAINTAINED
ILLUMINANCE
RECOMMENDATIONS
(footcandles)**

**General Parking
& Pedestrian**

**Vehicle Use
Area Only**

		Ave.	Min	U.Ratio	Ave.	Min	U.Ratio
HIGH	Major league athletic events; major cultural or civic events; regional shopping centers; fast food facilities	3.6	0.9	4:1	2.0	0.67	3:1
MED.	Community Shopping Centers; Civic or Recreational Events; Office Parks; Hospital Parking; Transportation Parking (Airports, Commuter Lots, etc.); Residential Complex Parking	2.4	0.6	4:1	1.0	0.33	3:1
*LOW	Neighborhood Shopping; Industrial Employee Parking; Educational Facility Parking; Church Parking	0.8	0.2	4:1	0.5	0.13	4:1

*IES states: "This recommendation is based on the requirement to maintain security at anytime in areas where there is a low level of nighttime activity."

Local interpretation and application of IES Parking Lot Levels of Activity Examples not specifically identified or quantified.

	<u>Level of Activity</u>
Regional shopping centers containing retail space of 300,000 square feet or greater.	HIGH
Community shopping centers containing retail space of 5,000 to 299,999 square feet.	MEDIUM
Neighborhood shopping containing retail space of less than 5,000 square feet.	LOW
Fast food facilities (means only with customer	HIGH

seating capacity of 40 or greater)

Automotive dealerships

HIGH

Entertainment theaters, sports arenas

HIGH

APPENDIX B

Service station or gas pump area average luminance levels

Area Description	Average Illumination On Described Area (Lux/footcandles)
Approach with dark surroundings	15/1.5
Driveway with dark surroundings	15/1.5
Pump island area with dark surroundings	50/5
Building facades with dark surroundings	20/2
Service areas with dark surroundings	20/2
Landscape highlights with dark surroundings	10/1
Approach with light surroundings	20/2
Driveway with light surroundings	20/2
Pump island area with light surroundings	100/10
Building facades with light surroundings	30/3
Services areas with light surroundings	30/3
Landscape highlights with light surroundings	20/2

5.17.5 Special Exception Permits:

The Planning and Zoning Commission may grant a Special Exception permit modifying the requirements of this Section, provided it determines that such modification is consistent with the purpose of these regulations, in the following case

- A. Where an applicant can demonstrate, by means of a history of vandalism or other objective means, that an extraordinary need for security exists,
- B. Where an applicant can show that conditions hazardous to the public, such as steep embankments or stairs, may exist in traveled ways or areas;
- C. Where a minor change is proposed to an existing non-conforming lighting installation, such that it would be unreasonable to require replacement of the entire installation;
- D. Where special lighting is indicated for historic buildings;
- E. Where special consideration is given to maintain an uniformity with similar uses in the vicinity.

END OF SECTION 5