

Section 1.0 GENERAL

1.1 Purpose

The purpose of these regulations is to promote the health, safety and general welfare, to protect public water supply areas, to promote quality of life and economic viability and to encourage the most appropriate use of land throughout the City of Torrington in accordance with a Comprehensive Plan. To accomplish these purposes, it is necessary to regulate the height and size of buildings and other structures, the density of population, and the location and use of buildings, structures, signs and land. It is also necessary to establish zoning districts and define their boundaries and to provide procedures for the administration and amendment of these regulations. All applications made under these regulations will be processed as expeditiously as possible.

People with disabilities have the right to request a reasonable accommodation of a Zoning Regulation. *(added 6-19-19)*

1.2 Zoning Districts

The City of Torrington is divided into the following zoning districts.

Watershed Protection Zone	R-WP
Outlying Residence Zone	R-60
Outlying Residence Zone	R-40
Residence Zone	R-25
Residence Zone	R-15
Single Family Residence Zone	R-15s
Residence Zone	R-10
Single Family Residence Zone	R-10s
General Residence Zone	R-6
Restricted Residential Community	RRC
Downtown District Zone	DD(Effective 12/16/10)
Incentive Housing Zone	IH (Effective 1/31/11)
Alternate Incarceration, Cannabis Dispensary Overlay Zone	AM (Effective 4/29/12)
Local Business Zone	LB
Industrial Zone	I
Industrial Park Zone	IP
Restricted Commercial & Industrial Zone	CIR

1.3 Zone Map

The boundaries of the zoning districts are established as shown on the map entitled "*Torrington Connecticut Zone Map*" which is displayed in the Planning and Zoning Office and which is hereby made a part of this regulation.

1.4 Zoning Boundaries

1.4.1 Where uncertainty exists as to the boundaries of zoning districts as shown on the Zoning Map, the following rules shall apply.

A. Where zone boundaries are indicated as approximately following the center line of a street, highway, railroad, brook, stream, right-of-way or easement, such lines shall be construed to be such zone boundaries. Where zone boundaries are indicated as approximately following lot lines, such lot lines at the time of adoption of these regulations shall be construed to be such boundaries.

B. In cases of uncertainty, the exact location of the zone boundary shall be determined by the Planning and Zoning Commission.

1.4.2 *(eliminated effective 6-19-19)*

1.5 Basic Requirements

1.5.1 No land shall be used, and no building or structure shall be erected, altered, moved, used or occupied except in conformance with these regulations.

1.5.2 No lot, or part thereof, shall be conveyed if the conveyance results in either:

- A. a reduction of any setback, area, lot width, off-street parking, open space, impervious surface ratio or buffer below that required by these regulations; or
- B. a reduction of any non-conforming setback, area, lot width, off-street parking, open space, or buffer.

1.5.3 Two or more lots are to be treated as a single lot if one or more of the lots are:

- A. non-conforming as to area, setbacks, lot width, off-street parking, open space or buffer area;
- B. contiguous; and
- C. under the same ownership prior to December 24, 1957. Such lots shall be conveyed as one lot.

1.5.4 Within a residential zone, the erection of a single family dwelling on a lot which is smaller in area or lot width than required by these regulations is permitted provided all the following conditions are met.

- A. Such lot has been either:
 - 1. Duly recorded by deed in the City of Torrington land records prior to December 24, 1957; or
 - 2. is in a subdivision or resubdivision approved by the Planning and Zoning Commission and recorded in the City of Torrington land records.
- B. The owner of the lot does not own sufficient contiguous land to make a conforming, or more nearly conforming, lot (see Section 1.5.3 above).

1.5.5 Conservation Restrictions and/or Preservation restrictions (Effective 2/26/09)

1.5.5 For any permit application involving property subject to a conservation restriction or preservation restriction, the following shall apply:

- A. For purposes of this section, “conservation restriction” means a limitation, whether or not stated in the form of a restriction, easement, covenant or condition, in any deed, will or other instrument executed by or on behalf of the owner of the land described therein, including but not limited to, the state or any political subdivision of the state, or in any order of taking such land or water areas predominantly in their natural, scenic, or open condition or in an agricultural farming, forest or open space use.
- B. For purposes of this section, “preservation restriction” means a limitation, whether or not stated in the form of a restriction, easement, covenant or condition, in any deed, will or other instrument executed by or on behalf of the owner of land, including, but not limited to, the state or any political subdivision of the state, or in any order of taking of such land whose purpose is to preserve historically significant structures or sites.
- C. No person shall file a special exception application, site plan application or zoning permit application, other than for interior work in an existing building or for exterior work that does not expand or alter the footprint of an existing building, relating to property that is the subject to a conservation restriction or preservation restriction unless the applicant provides proof that the applicant has provided written notice of such application, by certified mail, return receipt requested, to the party holding such restriction not later than sixty days prior to the filing of the permit application.
- D. In lieu of such notice pursuant to **subsection 1.5.5.c**, the applicant may submit a letter from the holder of such restriction or from the holder’s authorized agent, verifying that the application is in compliance with the terms of the restriction.
- E. In the case of an application where the applicant has provided written notice pursuant to **subsection 1.5.5.c** of these regulations, the holder of the restriction may provide proof to the Planning and Zoning Commission or Zoning Enforcement Officer that granting of the permit application will violate the terms of the restriction. Upon a finding that the requested land use violates the terms of such restriction, the Planning and Zoning Commission or Zoning Enforcement Officer shall not grant the permit approval
- F. In the case of an application where the applicant fails to comply with the provisions of **subsection 1.5.5.c or 1.5.5.d** of these regulations, the party holding the conservation or preservation restriction may, not later than fifteen days after receipt of actual notice of permit approval, file an appeal with the Planning and Zoning Commission or Zoning Enforcement Officer, subject to the rules and regulations of such agency relating to appeals.

The Planning and Zoning Commission or Zoning Enforcement Officer shall reverse the permit approval upon a finding that the requested land use violates the terms of such restriction.

END OF SECTION 1